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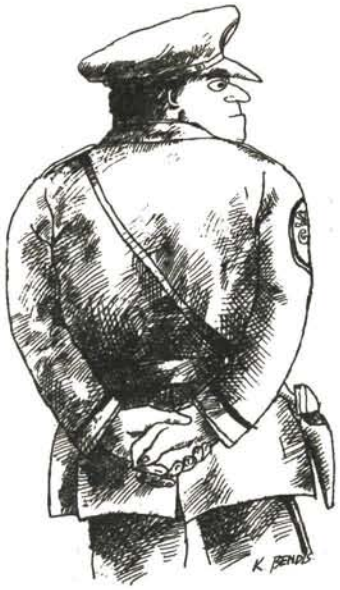

'Rent-a-Cop' THE BOOM IN PRIVATE POLICE *Michael T. Klare*

Spain and Washington THE UNCONSTITUTIONAL ALLIANCE *William Braasch Watson*

Spain in Mexico STILL LOYAL TO THE LOYALISTS Stanley Meisler

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LETTERS

tax fight

Hastings on Hudson, N.Y.

Joseph Crown's "Taxes and Budget: Ford Plays Demagogue" [*The Nation*, Oct. 25] cites statistics showing that "Corporate income tax payments, as a percentage of federal revenue receipts, have declined from 33.6 per cent in 1944, to 20.9 per cent in 1964, to an estimated 14.6 per cent in 1974." He further notes how "In contrast, individual income tax payments rose from 48.5 per cent in 1944, to 62.7 per cent in 1964, to an estimated 73.9 per cent in 1974." However useful and shocking these figures may be they, nevertheless, are incomplete. If, in addition to Crown's tax percentage figures, we could determine a valid comparison between individual and corporate *income* during the same time period, a most vital piece of ammunition for the tax reform good fight might be provided.

Irwin S. Levine

opinions and innuendos

Stanford, Calif.

It will be obvious to your readers that my article discussing the Stanford conference ["Soviet Women Today," *The Nation*, Sept. 6] and Alice Richards's lengthy letter about the article and the conference [*The Nation*, Sept. 27] are in fundamental agreement on several substantive points. . . .However, the conference went beyond the well-established and the evident to analyze other factors limiting progress, and to consider some of the more complex problems engendered by the very fact of success. This is hardly to "damn with faint praise" as Ms. Richards suggests. Her use of the phrase indicates a different approach to the topic. The Stanford conference did not have as its objective either to damn or to praise the condition of women in Russia, but to investigate it in order to improve our understanding of modern social development.

If the issues raised in the letter were confined to differences of interpretation or of emphasis, no response would have been required. Ms. Richards is entitled to her opinions and to the expression of those opinions. But. . .in implying that assistance given to the academic community in organizing the conference by the U.S. Department of State and the Hoover Institution may have influenced the objectivity of the participating scholars, the letter resorts to an unworthy tactic. . . .Your correspondent and your readers can be assured categorically that none of the eight funding agencies which helped to make the conference possible exercised, or attempted to exercise, any influence whatsoever on any aspect of the conference: its organization, participants, workings or conclusions. . . .

A final point in the letter compels comment. Soviet women attending the IWY meeting in Mexico City are reported to have said that an invitation to the Stanford conference was withdrawn after it was accepted, and was later reissued when it was no longer possible to attend. To set the record straight: an invitation was extended to Valentina Tereshkova as head of the Soviet Women's Committee simultaneously with conference invitations to a group of Soviet scholars. Tereshkova was invited to address the conference on the achievements of Soviet women as viewed from their own perspective. Her expenses, like those of the Soviet scholars, would have been covered by the conference budget. None of our invitations was ever withdrawn, or accepted. Ms. Richards could have established these facts by a local phone call to me, by reviewing the conference correspondence file, by checking with the Soviet consulate in San Francisco or with the cultural office of the Soviet Embassy in Washington.

Dorothy Atkinson,
Assistant Professor of History,
Stanford University

query

The publisher's office is eager to get in touch with Mr. Philip J. Arbo. We believe Mr. Arbo is a *Nation* reader, but do not have his address.

EDITORIALS

Running in the Substitutes

In the minds of President Ford and his inner circle of advisers, the naming of "the new team" was a devilishly clever move, calculated to please in varying degrees the right, center and moderate wings of the Republican Party and, at the same time, to provide cover for an important objective—the ousting of Schlesinger. Long at odds with Kissinger, Schlesinger presented a problem, since his removal would certainly offend the right wing. But that faction would be delighted by the withdrawal of Rockefeller which, as originally planned, was to have preceded the other announcement. They would also be pleased by what might appear to be a slight demotion for Kissinger (actually Lieut. Gen. Brent Scowcroft is Henry's top sergeant). At the same time, the fact that Kissinger stayed on but Schlesinger did not would reassure moderates who favor détente. The removal of Colby was no problem; he had talked too much. The naming of Rumsfeld (Defense), Bush (to replace Colby) and Richardson (Commerce) would be interpreted as slight steps toward the center or moderate position. Richardson would be pleased, since he has been operating under a slight Watergate cloud in London—the British being more fastidious about such matters than we are—and Bush, bored in Peking, would relish a return to the limelight. Moreover, Sen. Hugh Scott, up for re-election next year and in trouble, would probably like the Peking post, since he has long, if mistakenly, fancied himself an expert on Chinese culture.

But the centerpiece of the strategy was not Schlesinger;

ANNOUNCEMENT

On December 16, 1975, Ralph Nader is sponsoring a dinner in tribute to two congenial magazines: *The Nation* and *The Progressive*, the well-known monthly founded by Robert LaFollette and published in Madison, Wisconsin.

John Kenneth Galbraith will preside. Speakers will include Senator Frank Church of Idaho, noted cartoonist Herbert Block, Eleanor Holmes Norton, Chairwoman of the New York City Commission on Human Rights, and Mr. Nader.

The dinner will be held at the Waldorf Astoria, Park Avenue and 50th Street, New York City. Reservations will be $100 per person. Proceeds will be divided between our two publications, and used to strengthen our voices by increasing readership.

We hope that all of our readers who possibly can will attend this important event. Your help is urgently needed!

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it was Rockefeller, whose removal, so it was thought, would take Reagan out of contention. To the plotters it seemed a neat way to set the stage for 1976 and to insure Ford's nomination. As events unfolded, however, the cute maneuver got out of hand. Someone leaked the news (it could not have been Schlesinger or Colby, for they did not know they were on the way out until Sunday, so circumstances would indicate Kissinger as the source), and the master plan was prematurely exposed. Rockefeller's withdrawal became a central part of the story—not the prologue—and was featured in the same headlines. The effect was to create an air of doubt and uncertainty. The public must now sense, as James Wieghart points out in the New York *Daily News*, that the administration is "seething with internal stresses." And that it is, with savage political feuding and infighting. Since the changes involve top posts in the defense and national security setup, it is a bad impression to convey. For most Americans, to quote Wieghart again, "Sunday night firings, like the midnight knock on the door, are more suited to a banana republic than to the United States."

With the timing fouled up and the plot gone awry, the masterminds attempted to repair the damage by having the President "come on strong" at his televised press conference. He was told to be "Presidential," to stand tall, to convey the impression of a "take-charge guy" who calls the shots as he sees them. One observant reporter noted that the word "team" appeared in fifteen separate references and four times in one sentence. And the personal pronoun was emphasized throughout: "I" did this, "I" decided that, etc. The President said he wanted a team of his very own. Questions were answered curtly and that, happily, permitted the reporters to ask more questions than usual. But what destroyed the attempt to project an image of forceful leader acting swiftly and decisively was Ford's lack of candor on key points. To insist, as he did repeatedly, that the changes had nothing to do with policy or personality seriously undercut his credibility and may have irreparably damaged his undeserved reputation for frankness. And his emphatic assurances that the shifts were "totally" of his own doing simply compounded the offense. The firm assurance of an obvious untruth does not make it any less a falsehood. The more Ford exposes himself to the public, the more it realizes, as Anthony Lewis writes in *The New York Times*, that "there is little except politics in his adult experience, his life, his mind. And it is politics of a narrow, parochial kind." On balance, "the new team" ploy may have hurt rather than improved the President's prospects.

Why did "the team" act as it did? For weeks now Ford has exhibited a neurotic preoccupation with the candidacy of Ronald Reagan. Yet every move he has made—with the possible exception of easing Rockefeller out—has helped to strengthen Reagan's position. A shrewd strategy would have been to ignore Reagan. True, right-wing conservatives have a disproportionate influence at GOP conventions, but liberal and moderate Republicans, concentrated in the ten most heavily populated states, are not without influence. Some weeks back the liberal Republicans in the Senate, in a group, warned the President that his attempts to out-Reagan Reagan might well backfire. More recently, Sen. Charles Mathias, commenting on the President's odd "fascination" with the Right, again reminded him that

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"feeding meat to the alligators" does not necessarily appease them. A Reagan victory in New Hampshire or Florida would not doom Ford's chances, but by focusing attention on these primaries he has measurably enhanced their symbolic importance. Nor will naming Rumsfeld, Bush and Richardson to top posts necessarily mollify the liberal Republicans, inasmuch as Rockefeller has pulled out and Ford continues to campaign against New York City. Rockefeller was expendable once the President had decided to write off New York State in 1976, but his emphatic assurance that there is "no probability, no serious probability," that New York City's default might have national repercussions may cause him acute distress next year.

As for Rockefeller, he got exactly what he deserved. His silly flip-flops did not appease Southern conservatives but doubtless dismayed his original liberal Republican constituency (as recent polls in Northern states would indicate). At the end, he did not need to be told to get out; the signs were all too clear. Rockefeller has a sizable responsibility for the unhappy fiscal affairs of New York City and State and he is also largely responsible for the fact that, in the present emergency, New York is lukewarmly represented in the Senate by only one Senator, Javits, while the other, Sen. James Buckley, is the principal sponsor if not the architect of Ford's "drop dead" campaign against the city. Thanks largely to Rockefeller, the New York Republican Party is now in a shambles, a condition which will not improve Buckley's chances for re-election. That is one small boon for which New Yorkers can be thankful.

Is Kissinger Next?

No, not as long as he enjoys his present prestige, and in any case probably not until after the election. But he should feel uneasy. The Pentagon will not forgive or forget the ouster of Schlesinger, whom the Joint Chiefs held in high esteem. And the Pentagon has a capacity and talent for intrigue and knifing second to no other bureaucracy in the Washington jungle. Schlesinger was well regarded by conservatives and hawks of both parties and, now that he has been cut from the "team," it is possible that he will decide to engage the administration in a public dialogue over defense policies.

Nor would Kissinger win a popularity contest with House and Senate liberals and moderates of both parties. The Secretary's exchanges with Rep. Otis Pike have irked not merely Pike but many of his colleagues. And there is always the danger that some of Kissinger's policies will backfire; certain stresses and strains have already become evident in Chinese-American relations. Should the SALT talks succeed, Kissinger will be criticized from the Right; should they fail, the fire will come from both sides. But what should worry Henry most are the repeated reports that Melvin Laird has some reservations about his recent performance and his overall value; that should be taken seriously. Also the withdrawal of Rockefeller removes a prop to Kissinger's power. Intriguers usually end up by becoming the victims of their own intrigues. Henry has been a master of bureaucratic plotting, but he is not the only practitioner of this black art in Washington today.

Tipping at the Pentagon

Disclosures that Northrop Corp. and other defense contractors have been "tipping" Defense Department officials, members of Congress, administrative aides and other officials, and then charging these hospitality items to the government—$5.3 million in such payments by Northrop have been questioned—came at a bad time for former Defense Secretary James Schlesinger. Once again he was engaged in "the ritual fall exhortation" to Congress that it must not cut the defense budget, and the current batch of stories about elegant brunches, tickets to Redskin football games and delightfully restful weekends at hunting lodges could not have landed on the front pages at a more unfortunate moment.

Schlesinger bestirred himself and called a press conference at which he "hinted" that some housecleaning might be in order. What we now know about tipping of this sort, he was unhappy to concede, just might be merely "the tip of the iceberg." He was disappointed, he said, to find that a loophole in Defense Department regulations made some tipping appear legal if not admirable. The loophole in question is found in a regulation which states that "an exchange of hospitality" with old personal friends is proper. But he had to admit, under questioning, that some of these "old personal friendships" appear to have been generated with remarkable rapidity. He was also distressed because the industry did not seem enthusiastic about his attempts to get the facts and was even more upset by a Defense Department report that had cleared the Pentagon goose hunters and football fans of violating existing regulations.

Not a bit discouraged, however, Schlesinger announced that he had asked the respective armed services to investigate the misconduct of their own personnel, despite the fact that the Department's report—which the Deputy Counsel would not endorse—had been denounced by Senator Proxmire as "an obvious whitewash." Asking the armed services to investigate charges of this kind is a form of bureaucratic black humor which most editorial writers have permitted to go unnoticed and unappreciated. If the new Secretary of Defense wants to start his tenure with a measure of public confidence and credibility, he will promptly cancel Schlesinger's directive and order an inquiry under independent auspices.

Bad Appointments: Bad Politics

A sizable factor in the evaluation of any national administration necessarily relates to appointments; it is the one power any President can exercise, if he wishes, in the public interest, for his judgment is paramount. On this scale, President Ford rates even lower than Nixon who, up to the time he fled office, had hit an all-time low. The Swiss Trade Union Federation has filed objections through the Swiss Government to the nomination of Nathaniel Davis as U.S. Ambassador. The Federation pointed to his record in Chile and observed that he had resigned as Assistant Secretary of State for African Affairs because of African hostility. Davis is scheduled to replace former Sen. Peter Dominick who is retiring because of ill health. If

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Dominick had qualifications for the post, he kept them carefully concealed; as for Davis, when the Swiss object, they usually have a valid reason. Behind closed doors, the Senate Foreign Relations Committee decided recently to notify the White House that it would not confirm Turner Shelton as Ambassador to the Bahamas. Shelton, a Nixon loyalist, a friend of Howard Hughes and a buddy of Bebe Rebozo, had served in Nicaragua, where his record was seriously marred by charges of assorted irregularities.

Earl J. Silbert has now been confirmed as U.S. Attorney for the District of Columbia, after a record delay of twenty-one months. The objections to Silbert were numerous, specific and serious; they were freely and repeatedly voiced on the floor of the Senate. Final confirmation was said to be a political trade-off. Then there was Thomas Kleppe, appointed Secretary of the Interior (see *Nation* editorial, "Mr. Bubble," September 27) after the long delay occasioned by the lively hearings on Stanley Hathaway's nomination, and his subsequent illness and resignation. The Kleppe appointment has even less to be said for it than had Hathaway's. Now the appointment of Joseph Coors to the board of directors of the Corporation for Public Broadcasting has apparently been killed after months of hearings marked by charges and countercharges. The appointment involved a clear conflict of interest because of Coors's connection with Television News, Inc. and was objectionable on other grounds as well. Sen. Lowell P. Weicker Jr. aptly stated the case against Coors when he referred to "a pattern of insensitivity and bad judgment that threads through everything the man does." Next is the appointment of Daniel J. Boorstin to be Librarian of Congress. He was finally confirmed over the adamant objections, which still stand, of the American Library Association and its membership. During the hearings he was admonished by the chairman of the committee not to exploit the research of assistants for his own writing, as he had done at the Smithsonian. On February 26, 1953, Boorstin testified before the House Un-American Activities Committee that he had been a member of the Communist Party—which, of course, he had every right to be. But he then went on to name associates and colleagues. The librarians' objection was largely based on the fact that Boorstin was not a member of their honorable profession. In rebuttal, his supporters called attention to the fact that Roosevelt had named Archibald MacLeish to the post, though he was not a professional librarian. But there was a difference. MacLeish once wrote:

> God help that country where informers thrive!
> Where slander flourishes and lies contrive
> To kill by whispers! Where men lie to live!
>
> God help that country by informers fed
> Where fear corrupts and where suspicions spread
> By look and gesture, even to the dead. . .

The most recent example of Ford's talent for bad appointments is the naming of James F. Hooper to the board of the TVA. The board is currently divided on key issues, so Hooper's nomination is of special importance. The nomination has drawn heavy fire since it was submitted to the Senate on June 12 and may well be rejected. Even such Republican loyalists as Senators Brock and Baker have expressed strong misgivings about it. Hooper simply lacks the qualifications.

Forget, for the moment, the question of whether these appointments and nominations were the kind that an administration sensitive to the public interest should have made. A more practical question is this: judged in partisan Republican terms, were they "good politics"? They must be tagged "bad politics," in the conventional sense (except for the consideration of possible campaign contributions). Naming Davis offended blacks aware of his record. The only point in favor of Shelton was loyalty to Nixon, which is no virtue. The Silbert nomination annoyed most Democrats and many liberal Republicans and independents and, in political terms, he had no constituency. The Kleppe appointment was offensive to conservationists and those familiar with his wretched record as an administrator. The Boorstin appointment alienated librarians from coast to coast. The Coors nomination was politically maladroit and earned no good marks for the administration, not even in Colorado Republican circles. So why, one asks, doesn't the Ford administration borrow a leaf from the record books of Sens. Charles Percy and Clifford Case and recognize that, politically, the best nominees are quite simply the best men and women who can be found—in terms of character, competence and dedication to the public interest.

The Domestic Arms Race

"We are engaged domestically in an arms race fully as mad as the nuclear arms race," Rep. Peter Rodino (D., N.J.) said late last month as chances for passage of gun-control legislation this year began to disappear. "Each year 6.5 million new guns find their way into the hands of our people," he said. "The total is now estimated at nearly 200 million, including 40 million handguns, the favored weapons of criminals." At about the same time, Louis Harris reported that 17 million American households—or 47 per cent—have at least one gun, up from 41 per cent in 1968.

Rodino says he favors the gun-control bill introduced by Rep. John Conyers (D., Mich.) that would ban entirely the manufacture, sale and possession of handguns in the United States. But Conyers's bill was voted down 6 to 1 in the Michigan Democrat's own subcommittee—and both Rodino and Conyers have said that compromise on gun control is essential. With some 130 proposals under consideration by the subcommittee, Rodino has outlined what he—and we—think is a workable proposal. Its basic provisions include:

—Stricter regulation of commerce in guns.

—Total ban on the manufacture and sale of concealable handguns including "Saturday Night Specials."

—Establishment of definite, federally supervised limitations on who may purchase and possess guns.

—Creation of a federal handgun tracing mechanism.

—Institution of a minimum waiting period for the purchase of any weapon under any circumstance, to permit verification of purchaser information and a "cooling off" period to prevent impulsive purchase and use of weapons.

While Rodino's suggestions are weaker and vaguer than others he—and we—believe are required, they might engender sufficient support for passage early next year. The American people want gun-control legislation. Ac-

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cording to Harris, 73 per cent favor at least registration of all gun sales. A New York *Daily News* poll shows 79 per cent of area residents in favor of registration, 91 per cent in favor of outlawing Saturday Night Specials. Their preference for federal regulation is probably rooted at least partially in the failure of New York State law—which forbids unlicensed possession of handguns—to prevent the number of illegal pistols in the city to grow to between 1 million and 2 million. In California, one poll reported, 82 per cent want to see all guns registered. There and elsewhere, pro-control groups, like the Coalition for Handgun Control and DISARM, have begun organizing to counter the disproportionate political influence of the members of the National Rifle Association.

Even though House procedural deadlines indicate that it is too late for legislation this year, and despite the subcommittee defeat of the Conyers proposal, gun control is by no means dead in Congress. A compromise, such as the one Rodino has sketched, should emerge from House committee and on to the floor for a vote some time next year. Senate passage is at least possible. As Harris has said, the American people "want federal control of guns quickly and decisively," and the 1976 elections "will see more casualties among those who oppose than those who favor" such measures.

Jailhouse Bugging

Despite the harm it has done to the constitutional rights of the individuals involved, and the possible dismissal of charges it might lead to, the jailhouse bugging of Patricia Hearst and William and Emily Harris may have had one positive effect—it exposed the routine taping of prisoner-visitor conversations at the San Mateo County Jail in Redwood City, Calif. Jim Wood of the *San Francisco Examiner* reports that "the practice is. . .common in Bay Area jails." At Redwood City, though not in San Francisco, the recording system was "pre-wired into the architecture."

While bugging of lawyer-client conversations has been outlawed since the Judy Coplon decision, eavesdropping on other visitor conversations is not infrequent although of uncertain legality, and reports indicate it is not limited to the Bay Area. Yet the practice has been largely hidden. Defense attorneys can find out about it only if the conversations are introduced in court or if they subpoena records of recorded conversations.

Such eavesdropping goes against the growing interpretation of constitutional law that prisoners do not lose all their basic rights when they lose their freedom of movement. Also eavesdropping can backfire: when discovered it can lead to long litigation and, just possibly, dismissal of charges. Though the California Supreme Court refused to overturn the robbery conviction three years ago of a man who confessed in a bugged conversation that the charges against him were true, and the U.S. Supreme Court refused to hear the case, dismissal motions based on the taping of the Harrises are being considered. Now that the practice has been publicized, a host of defense subpoenas for possible tapes of prisoner conversations can be anticipated.

Jailhouse bugging should be stopped. As Paul Freund of Harvard told the *Examiner*: "I think no one should have to take that risk that everyone he talks to, including friends being used without their knowledge or consent, may be undercover informers." Prison security is a reasonable aim—but it cannot justify the routine infringement of elementary decencies, including the right to privacy.

'RENT-A-COP'

THE BOOM IN PRIVATE POLICE

MICHAEL T. KLARE

America's sprawling law-enforcement establishment has been under i se scrutiny ever since the ghetto riots and campus uprisings of the late 1960s, and Congress has voted lavish sums for research on improved police services. Yet for all practical purposes these studies have ignored a major segment of the nation's anti-crime apparatus: the private guards and detectives who today constitute more than half the police personnel in the United States.

The private security industry is growing, according to a Rand Corporation survey, "at a recession-resistant average rate of 10 to 15 per cent annually." Expenditures on uniformed guard services have doubled in the past six years, and today the industry is thriving at $10 billion to $15 billion a year. Although private guards—popularly known as "rent-a-cops"—now outnumber public police in most states, they are not normally included in discussions of law-enforcement problems. The oversight is serious when one considers that:

—While almost half of the private guards are armed, fewer than one-fifth receive *any* training in firearms.

—Although private guards are as likely as regular policemen to abuse their authority or use excessive force, governmental review is almost nonexistent.

—Spending on private security services is rising faster than spending on public law-enforcement services, with low- and middle-income people shouldering most of these

Michael Klare is an associate of the North American Congress on Latin America, and author of War Without End: American Planning for the Next Vietnams (*Knopf*).

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added costs in the form of higher prices for basic consumer goods.

Moreover, as public law-enforcement agencies devote more and more time to complex urban problems like narcotics abuse, riot control, VIP protection, etc., rent-a-cops will increasingly replace public policemen as the "cop on the beat." Indeed, an analysis of current trends suggests that private security forces will become a ubiquitous fixture of urban life.

With the rise in urban violence and business crime, more and more firms have turned to the private security industry for added protection, and today contract guards outnumber regular policemen in most areas (in California, for instance, there are 50,000 rent-a-cops compared to 45,000 "sworn" officers). The demand for guards and protective devices has proved a "windfall" for the large security firms that dominate the industry. The combined revenues of the "big four" (Pinkerton's, Burns, Walter Kidde & Co., and Wackenhut Corp.) more than tripled between 1963 and 1969, rising from $93 million to $312 million, and nearly doubled in the next five years. This phenomenal growth has not been slowed by the current recession: Pinkerton's reported record revenues and profits in 1973 and told stockholders, "These achievements were attained despite generally adverse conditions, including rising prices and taxes, growing regulation and cost cutting by industry and business." Indeed, some security firms are even trying to profit from corporate anxiety in a time of economic uncertainty: a Burns advertisement in *The Wall Street Journal* warns, "A tough economy means tight profit margins, problems with personnel and inventories. It also means greater risk of theft, vandalism, spying and sabotage."

While many of the security firms, including Pinkerton's and Burns, were formed more than fifty years ago, it is only in the past decade that they have become a common part of everyday life. Today, private policemen guard apartment buildings, stores, factories, office buildings, airports, hospitals, universities, sporting events. "For the average person," the *San Francisco Examiner* noted recently, "if someone is following him, watching him, investigating him, protecting his safety or guarding his treasures, it is far more likely to be a private policeman than the CIA, the FBI or the county sheriff." Why this sudden spurt in the employment of private guard services? Many factors are at work, but it seems reasonable to group them into three categories:

Political Violence: During the great social upheaval of the 1960s, minority groups and students campaigned for radical changes in basic institutions, and these uprisings sometimes took the form of violent attacks on conspicuous symbols of repression and exploitation—banks, corporations, courts, etc. The assaults in turn generated a clamorous demand for expanded security services. "All you have to do is read the papers to understand the growth in private security organizations," David Goode of Burns told *The Washington Post*. "Look at what's happening today. The headlines are enough to tell you. There's all kinds of civil strife and turmoil, bombings and disruptions. Isn't that enough of an indicator of why businesses want protection?"

Banks and corporations were the major customers for added guard services in the late 1960s and early 1970s, but other institutions also contributed to the protection boom. Many colleges and universities doubled or tripled their spending on security measures after the campus rebellions in 1968 to 1970, and the crackdown in 1973 on airline hijackings produced an estimated $57 million in new business for the guard companies. More recently, there have been increased demands for *personal* guard services: "Since the [Patty] Hearst kidnapping," a Wackenhut spokesman reported in 1974, "we have had a large number of inquiries about our executive protection service."

Business Crime: Over the past decade no form of crime has increased as rapidly as crimes against business—burglary, robbery, vandalism, shoplifting, employee theft, etc. The Federal Bureau of Domestic Commerce has estimated that the direct costs of ordinary business crimes totaled $15.7 billion in 1971, and that these costs "are increasing at an astronomical rate." Shoplifting alone is estimated to cost $5 billion per year, according to a 1974 survey by the National Retail Merchants Association. In a desperate effort to reduce such losses, many U.S. companies have spent millions on added guard services and protective devices; even small businesses—including neighborhood groceries—have felt compelled to hire armed guards. Such anti-crime measures are believed to account for most of the $10 billion to $15 billion spent annually on private security services, and particularly for the growing investment in electronic surveillance systems.

Street Crime: In many communities of America's decaying central cities, street crime has produced what sociologists call a "culture of fear" and generated an unprecedented demand for protective services that cannot be met by existing public police agencies. As a result, residents in some cities have formed block associations in order to hire private street guards, while many inner-city merchants—who often lose the patronage of fearful shoppers—have organized neighborhood associations which contract for patrol services. With the spread of street-type crime to schools, hospitals, museums, etc., many public institutions have been compelled to double or triple their budgets for security.

All of these phenomena have, of course, created demands for expanded public police services, which grew by more than 50 per cent during the past decade. But even that increase has not been thought adequate. "We exist," Burns Vice President George B. King told me, "because public police departments are not big enough and don't have a large enough budget to provide protection for private industry." Although spokesmen for the security industry acknowledge that their customers might prefer to have a regular policeman protecting their premises, they insist that the private firms perform a service that the public sector is simply unable to offer. "The public police are trained and authorized to apprehend the perpetrators of crime," King explained, "but it's not their mission and responsibility to guard private premises. Their job is *detective*—to catch a criminal after the act; our job is *preventive*—to deter crime through our presence."

The courts also make a distinction between hired guards and "sworn" peace officers. Private security officers have

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no special powers of arrest (only the right to make a "citizen's arrest" enjoyed by all civilians), and are not subject to the laws of evidence, search-and-seizure, etc., that constrain public police behavior. This immunity sometimes makes their job easier: private investigators, not governed by the 1966 *Miranda* decision, can introduce as evidence a confession obtained without advising a suspect of his or her rights to silence and to an attorney.

Thus, while the expansion of the private security firms can be partially attributed to the inadequacy of public police services, other causes are at work. Indeed, an investigation of the industry elicits these additional factors:

—Private policemen devote all their attention to the protection of their clients' property, whereas public law-enforcement personnel must divide their time among many responsibilities.

—Private investigators are accountable to their clients alone, and thus will not reveal damaging or embarrassing discoveries. Public policemen are theoretically accountable to public officials and the courts.

—Private guards can be hired and fired at will in response to changing corporate needs; public police employment is governed by strict civil service regulations.

—Private services are much less expensive than public law enforcement: in San Francisco, for instance, rent-a-cops are paid an average of $2.50 per hour, while a rookie cop receives a minimum of $6.46 an hour.

In general, private guards are employed when a firm wants plentiful, cheap, flexible and *personalized* protection.

Although private guards outnumber policemen in most municipalities, data on the private security industry are notoriously scanty and inaccurate. According to a 1972 Rand study (the only one of its kind in this field), private police forces in the United States in 1970 consisted of 222,400 "in-house" guards and detectives (i.e., security officers employed by a particular company or institution) and 67,500 "contract" guards and detectives who work for one of the country's 3,500 private guard firms. Industry officials insist that these figures are conservative, however, and report a total work force of more than 400,000.

The share of business going to the "big four" has been rising steadily. In 1963, these firms earned 36 per cent of contract guard revenues; in 1969, they received 50 per cent. Indeed, while the contract guard industry as a whole has been growing by 11 to 12 per cent a year, the big four have been growing by an average of 20 per cent. These firms now employ more than 100,000 guards, double the number of six years ago.

On the basis of the scanty data available, Rand in 1972 described the "typical private guard" as "an aging white male, poorly educated, usually untrained, and very poorly paid." Typically, the guard is a retired policeman or civil servant seeking to earn a few extra dollars to supplement retirement pay, a drifter or chronically unemployed worker, or an ex-serviceman. (Although security work is generally thought to be a job for men, some of the large contract firms report a rising demand for women.) Of the guards who answered a Rand questionnaire, 40 per cent said they had been unemployed before obtaining their current posts and that guard work "was the best job I could find."

As the demand for protective services has rocketed, guard pay has risen slightly and the security firms have been able to attract younger, better-educated personnel. *The New York Times* reported recently that "the newly hired guards are former policemen, firemen or servicemen—young men in their prime. . . . The day of the night watchman in his 60s and 70s is rapidly disappearing." But despite the improvement, security work is still a poorly paid, low-status job. A 1975 study by the League of California Cities states that the private guard firms generally employ "low quality, undertrained personnel, drawn from an economically poor labor pool and, consequently, activities of such personnel lead to abuses of authority."

Low status of guard work is further suggested by Rand data on private security training practices. Unlike public policemen who normally receive several months of training before being sent out on patrol, most rent-a-cops receive no more than eight to twelve hours of minimal training. Rand also reported that 97 per cent of the guards who responded to its questionnaire failed to pass a simple examination designed to test their knowledge of basic legal procedure in job-related situations. Rand, which labeled these findings "shocking," called on the states to pass strict licensing regulations in order to insure adequate pre-work training. Although private security officials dispute the accuracy of the Rand data ("Our men get plenty of training on the job," King told me), most of the larger firms have upgraded their training procedures and some have cooperated with state officials to develop training standards.

Guards and watchmen are the unskilled proletariat of the private security industry; a small number of private detectives and undercover agents are the elite. In fact, many large security firms like Pinkerton's and Burns started out as private detective agencies and only gradually shifted into other forms of security work. Pinkerton's was at one time the *only* national detective agency in the United States (public or private), and before the establishment of the FBI in 1924 the firm often undertook interstate investigations for local police agencies. (Later, in the 1920s and 1930s, "Pinkerton's" became synonymous for "labor spy" when some firms hired private guards to suppress incipient unions—a practice discontinued in the New Deal era.

Undercover agents, according to a recent Burns annual report, are available to investigate one or more of the following "management problems": inventory losses, pilferage, theft, fraud, falsification of records, forgery, poor employee morale, willful neglect of machinery, waste of time and materials, theft of tools, unreported absenteeism, supervisory incompetence, inadequate surveillance and what it calls "delicate investigatory matters." The same report tells how a typical undercover investigation works: "A frequent procedure is to have the investigator obtain work in the company in a normal manner. . . . He works full days, fills an actual job and draws a regular paycheck, arousing no suspicion among fellow employees. The person who arranged the investigation is kept informed by means of secret reports. When the work is completed, the operative leaves the job in a normal way so that no one ever need know his true identity." In this way, an employer can obtain "internal intelligence" on employee behavior

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while avoiding the bad publicity that might result from a regular police investigation.

Although most security firms indicate that their undercover operatives are available only to investigate criminal activities, there is evidence that some private detectives continue to report on political beliefs, union activities and other noncriminal matters. Thus, in an article on "The Value of Internal Intelligence," Eugene V. Allen of Taskpower Services, Inc. (a security consulting firm) suggested that "besides theft and dishonesty," undercover agents can report on:

—How effectively and thoroughly new employees are indoctrinated.

—General employee attitudes and morale.

—Excessive loitering and malingering contributing to unnecessary overtime situations.

—Whether production "breakdowns" are truly accidental or intentional.

—Whether company "cliques" have a desirable or undesirable effect on new employees.

And since the agents report exclusively and secretly to top company officials, there is no way to determine whether "general employee attitudes" include political or union associations.

These undercover operations are supplemented by an assortment of other "investigation services." Burns advertises that its staff can perform the following: "pre-employment investigations and personal security checks, including polygraph examinations; financial responsibility investigations; electronic sweeps for hidden listening devices; surveillance of business and residential premises, hotels and employees to prevent larceny or manipulation of product, merchandise and supplies; investigation of potential contest winners for compliance with contest rules; fingerprint and document analysis and shopping tests of all kinds to determine the honesty of employees and dealers."

Some of these activities would appear to be of questionable legality even if performed by public law-enforcement officers, and many involve outright invasion of privacy. Indeed, the pursuit of background data on job applicants has led to the arrest and prosecution of officials of several prominent security firms: in 1971, six security executives, including officers of Pinkerton's, Burns and Wackenhut, pleaded guilty to charges that they had bribed New York City police officers to obtain confidential police records on prospective employees of American Airlines and Trans-Caribbean Airlines. (The defendants pleaded guilty to the misdemeanor charge of "giving an unlawful gratuity to a public servant" rather than face trial for bribery and conspiracy.) And, while state and federal criminal records and other personal data systems are coming under increasing legislative and judicial scrutiny, no one has yet investigated the contents of the millions of personal dossiers kept by private security firms. According to Rand, Wackenhut maintains files on 2.5 million persons, Pinkerton's on 1.5 million and Burns on at least 50,000. The contents of these files are made available to clients on a confidential basis, usually without the knowledge of the subject.

Operating on a still more exalted level of detective work are the private agencies, like Intertel (International Intelligence, Inc.), which employ the latest spy techniques to provide confidential intelligence for their corporate clients. Many of these firms have been set up in the past few years to act as a sort of private CIA for the multinational firms which have expanded their operations in turbulent Third World areas. Indeed, these firms often hire ex-CIA agents and other former government operatives who, in many cases, retain informal access to privileged government files. Intertel is headed by Robert Peloquin, former chief of the Justice Department's Organized Crime Strike Force, and its employees include men who once served as high officials of the National Security Agency, the FBI, the Internal Revenue Service, and the Securities and Exchange Commission. Among the firm's more noteworthy exploits: managing Howard Hughes's dramatic 1970 flight from Las Vegas and establishing his new resort empire in the Bahamas, and identifying Clifford Irving as the author of the Hughes autobiography hoax.

Since private guards and detectives are assuming an ever larger share of urban police work, it is important to consider both their effectiveness as peace officers and their effect on urban social dynamics.

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Gerald S. Arenberg, executive vice president of the American Federation of Police, told me that "without private guard services the crime rate would jump at least 50 per cent." A contrary view was expressed by John C. Houlihan, executive director of the Institute for Local Self-Government and author of a study on private police performance in California: "Generally, the heavy use of these personnel has not made a dent on the crime rates." In fact, since private guards are used primarily to *deter* crime (by making themselves conspicuous at potentially vulnerable sites), it is almost impossible to measure their job performance statistically. Rand stated that "the executives we contacted in the contract security business could not provide us with quantitative evaluations of the effectiveness of their services," but concluded nevertheless that such agencies provide "clear social benefits" for their customers and the general public.

If there are no real data on the effectiveness of private police services, there is plenty of information on the industry's inadequacies and shortcomings. Rand's 1972 findings that most armed guards receive little or no training in the use of firearms, and that the overwhelming majority of rent-a-cops are totally unfamiliar with the basic laws governing their work were largely confirmed by the Institute for Local Self-Government's 1975 study commissioned by the League of California Cities: while 34 per cent of the state's contract guards are armed, nearly half of those armed "are given no formal pre-work instruction on the use of the firearms." The study also observed that poor training often leads to abuses of authority—such as ". . . unnecessary use of force, improper search and interrogation, false reporting and improper surveillance."

Inevitably, the combination of lethal force and inadequate training has led to tragedy: in every major city there have been incidents where armed guards "lost their cool" in an argument and shot an irate customer or bystander who challenged their authority. In Washington, D.C. a spate of such shootings led municipal authorities in 1973 to adopt tough new licensing laws. Industry spokesmen insist that the incidence of such offenses is no higher than that for public policemen, but that, in itself, is alarming. Thus one California official told the *Los Angeles Times* "that an untrained person carrying a little piece of machinery around his belt is causing cool chills up and down some spines in this state."

The states are attempting to meet this danger with new licensing and training regulations, but most legislatures have moved slowly. California, for instance, will not have a minimum-training requirement for armed guards until next year, and even that "model" statute exempts "in-house" guards. The Justice Department's Law Enforcement Assistance Administration recently established a task force to develop nationwide standards for guard training and performance; it will undoubtedly take years to convert its recommendations into legislation.

Probably the greatest problem facing lawmakers is the ambiguous "role model" of private policemen: although rent-a-cops have no formal police powers, they are viewed by the public as peace officers because they are in uniform, wear a star or shield, often carry firearms and perform many routine police functions. Some security companies even try to exploit such similarities by dressing their guards in uniforms closely resembling those of the police and sending them out in mock patrol cars. This misperception can make trouble: on one hand, citizens sometimes request help or protection from private policemen only to be told that it is not the guard's job to provide such assistance (recently an Illinois court ruled that a private guard cannot be held responsible for failing to stop a rape committed in the parking lot of a building he had been hired to protect); on the other hand, rent-a-cops sometimes exaggerate their role and assume the power of life and death—with the unfortunate consequences noted above. While some states have attempted to reduce confusion by prohibiting guards from wearing police-type uniforms and insignia, it is obvious that these problems will persist as long as society turns to private enterprise to provide surrogates for sworn public officers.

Indeed, the problems become more pronounced when one turns from individual guard-citizen encounters to urban social relations as a whole.

In 1969, the National Commission on the Causes and Prevention of Violence painted this picture of the future urban landscape:

> Central business districts in the heart of the city, surrounded by mixed areas of accelerating deterioration, will be . . . largely deserted except for police patrols during nighttime hours.
>
> High-rise apartment buildings and residential compounds protected by private guards and security devices will be *fortified cells* for upper-middle and high-income populations.
>
> High speed, patrolled expressways will be *sanitized corridors* connecting safe areas [while] armed guards will "ride shotgun" on all forms of public transportation.

The expansion of private security operations is only a symptom of a larger process of urban decay, yet one must ask whether the proliferation of armed guards will enhance rather than lessen the "culture of fear" in American cities. What is the psychological effect (especially on children and adolescents) of repeated encounters with armed guards in apartment buildings, schools, subways, stores, restaurants, parks and other public facilities? It requires no extensive research to determine that a ubiquitous guard presence can contribute to the climate of fear and alienation in inner-city neighborhoods—even if it does discourage some forms of crime.

This becomes a more critical matter in the light of race relations: although private guards are instructed to watch everyone for signs of suspicious behavior, any exposure to routine security operations will show that black teenagers are more likely to be hassled by rent-a-cops than are middle-class whites. (The same bias, to be sure, can be found in public police behavior.) And racial antagonism is not likely to subside in a society whose white citizens are clustered in "fortified cells" while its minority members live in the surrounding badlands.

Tighter review and regulation of the private security industry is needed to protect the public against unwarranted force and interference. Equally important, perhaps, is the need for an "environmental impact study" of the effects of the expanding security apparatus on U.S. urban communities. And finally, we must come to terms with the problems raised by the use of private police to perform a public security function.

Many people believe that America's public law-enforce-

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ment establishment is getting out of hand and that the average citizen is subjected to excessive governmental surveillance and control. Yet when these critics speak of "Big Brother" and the imminence of *1984* they seldom mention the private police industry. And, while citizens have in theory some ability to alter police behavior (through the courts, local government, political clubs, etc.), their control over private police behavior is almost nonexistent. Thus if the citizenry is to have any success in halting the decay of individual liberties and privacy, it must create new mechanisms of control over *both* public and private agencies. □

SPAIN AND WASHINGTON

THE UNCONSTITUTIONAL ALLIANCE

WILLIAM BRAASCH WATSON

One of the most critical debates on American foreign policy in recent years is beginning to build up in Congress. At stake are three major issues: (*1*) Whether the Senate will defend the treaty powers reserved for it under the Constitution; (*2*) whether the United States will end up allying itself with yet another dictatorship, especially one whose future is uncertain; and (*3*) whether the claims of the military will continue to dominate other foreign policy interests of this country. This article will take up the constitutional issues; I plan to deal with the other two issues at a later time.

The constitutional debate has been assured by the surprise announcement recently that, for the first time in twenty-two years, the administration is going to submit the military bases agreement with Spain for Congressional approval. The leak to *The New York Times* on October 23 did not say just what kind of Congressional approval the administration would be seeking, but that same day Ambassador-at-Large Robert McCloskey indicated in closed sessions of the committees on foreign affairs of both the House and the Senate that the administration wishes to avoid the two-thirds Senate vote needed for treaties and will ask instead for a joint resolution of approval that requires a simple majority in both houses. The first battle over the Spanish bases agreement will therefore be fought in the Senate Foreign Relations Committee, where sixteen Senators will have to decide whether to uphold the one explicit foreign affairs power granted to the Congress by the Constitution, or to allow, as they have so often in the past, this power to be subverted.

The Spanish bases agreement will be a clear, unevadable test of the Senate's commitment to its constitutional powers. Spain is now the only country in the world where the United States maintains significant military forces without a mutual security treaty. This country currently operates four major air and naval bases on Spanish soil, stations there some 10,000 troops, and stores a variety of nuclear weapons. In exchange, the United States provides substantial military aid to the Spanish armed forces through military grants and arms sales (Spain was the sixth largest purchaser of U.S. arms in 1974), has trained thousands of its personnel, regularly conducts joint military exercises with Spanish units and, as the secret 1968-70 negotiations disclosed when made public in 1972, has made detailed plans for the common defense of Spain. This *de facto* military alliance constitutes a major U.S. commitment to the security of the Spanish dictatorship. However ambiguous that commitment may seem on paper, General Wheeler, former chairman of the Joint Chiefs of Staff, assured his Spanish counterpart in 1968 that "by the presence of U.S. forces in Spain, the United States gives Spain a far more visible and credible security guarantee than any written document."* If the Senate cannot find adequate justification from these commitments to conduct an open debate on the merits of a treaty agreement with Spain, it ought to admit Presidential autocracy as a constitutional principle and get rid of the embarrassing responsibility to give its "advice and consent" for major U.S. commitments abroad.

Despite the clarity of the constitutional issues involved, the Senate will probably find it difficult to accept its obligations. The administration, eager to avoid the two-thirds vote in the Senate and seeking instead to have an Executive agreement approved by a simple majority of both houses, has thus far offered three arguments for avoiding the constitutional requirement of a treaty agreement.

The administration argues, first of all, that if the Senate were now, after months of negotiations, to insist that the bases agreement be made a treaty, it would undermine the negotiating position of the administration. The Spaniards, for reasons of international political prestige, had insisted throughout the negotiations on a mutual security treaty, a demand which the State Department had with equal firmness rejected. Undoubtedly the Spaniards were told that a treaty agreement might not win a two-thirds vote in the Senate and that if they wanted to receive U.S. military and economic aid in the future, they had better accept the usual Executive agreement. The Spaniards are realists and they agreed. Now, the administration claims, if the Senate turns around and insists on making the agreement a

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**U.S. Security Agreements and Commitments Abroad: 1971 [1969-70] Senate Foreign Relations Committee Hearings.* Vol. 2, p. 2356 (Memorandum of November 1968, from Gen. Earle G. Wheeler to Gen. Diez Alegria.)

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treaty, it will only undermine the government's own negotiating position.

This argument might have had some merit if the Senate's advice on these negotiations had been sought from the beginning, or if the Senate had indicated support for a simple renewal of the Executive agreement. But nothing of the sort took place. If anything, the Senate Foreign Relations Committee made it clear in 1970 that the next bases agreement with Spain, the one now being negotiated, would have to be submitted as a treaty. The committee's present chairman, Senator Sparkman of Alabama, told reporters just last year that he had gone along with the administration on the Executive agreement in 1970, but had warned Secretary of State Rogers, "All right, if no treaty this time, then next time." (*The New York Times*, June 17, 1974.) Senator Sparkman cited this incident as one of two examples of his independence of the administration. He and his committee colleagues may now have other reasons for changing their minds, but it is clear that the administration is trying to force their hand. It defied the committee's earlier views on a treaty by going ahead anyway with an Executive agreement. That can hardly be a reason for now asking the Senate not to insist on a treaty. But some Senators with short memories and weak constitutional spines will go along just the same.

Perhaps some of the Senators will be persuaded by another administration argument—that an Executive agreement approved by both houses of the Congress would be a more democratic procedure and one fairer to the House, which would be cut out of the deliberations if the Senate's exclusive treaty powers were asserted. Aside from the laughable irony of the executive branch now recommending procedures it has assiduously avoided for twenty-two years, the recommendation has no constitutional merit. The House will have ample opportunity to debate the merits of the agreement, if it wishes, when the administration comes to the House to appropriate the moneys needed for the military aid promised to Spain in exchange for the bases. Historically, of course, it has been difficult for the House to refuse to appropriate moneys once agreements have been made, but military aid bills have been refused in the past and could be refused again if the House is determined to do so.

Even if the House has no opportunity to consider the Spanish bases issue, the "fairness" argument is hardly persuasive when the Constitution, in one of the few articles dealing with the foreign relations powers of the federal government, is quite explicit on the matter. The Senate and not the House was granted the powers of "advice and consent," and the two-thirds vote rather than the simple majority was specified precisely to underscore the gravity and substance of international committments, especially, one might add, those involving military relationships. Perhaps the Constitution is not "fair" to the House, as the anti-Federalists argued in attacking the exclusive "aristocratic" powers of the Senate, but one doesn't rewrite the Constitution in the foreign affairs committees of both houses, much less at the European desk of the State Department.

Of course there is a certain embarrassment in attaching substance and gravity to our relations with a dictatorial government, with or without Franco. The administration admits as much when it advances a third argument, which is that an Executive agreement would have less adverse effect on our European allies in NATO, who regard the present government of Spain as a political outcast, than would a full treaty. The cynicism of this argument is astonishing, for it says in effect that we should modify our constitutional procedures simply to accommodate the opinions of our allies. It assumes, moreover, that our allies attach as much significance as we do to our distinction between an Executive agreement and a treaty agreement. There is no evidence to support this assumption. Our European allies will hardly insist that we pursue one form of agreement with the Spanish Government in preference to another, when what they object to is the *fact* of the alliance, not the form. By consistently rejecting American attempts to integrate Spain into the NATO alliance, the Europeans have quite correctly pointed out that the U.S. agreement with Spain was strictly an American affair. To be sure, this alliance has created ill will in Europe and its

Hugh Haynie, Louisville Courier-Journal

renewal will do so again. But the difference between a two-thirds vote in one House and a majority vote in both houses of the Congress will not change that fact.

The truth is that it is not the Europeans but the administration that wants to avoid the two-thirds vote in the Senate. The casuistry of the White House arguments should not be allowed to obscure the fact that the United States has a regular constitutional process for making international commitments, and that, no matter how much this process has been abused of late, the American people have important reasons for insisting that it be applied to the planned renewal of the Spanish bases agreement. □

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SPAIN IN MEXICO

STILL LOYAL TO THE LOYALISTS

STANLEY MEISLER

Mexico City

When Generalisimo Francisco Franco executed five revolutionaries in Spain in September, the fiercest reaction came from Mexico. That reaction surprised many outsiders and made some veteran diplomats at the United Nations shake their heads at what seemed like naïveté. But in fact Mexico was behaving consistently. It is the only country in the world that still harbors an embassy of the old Spanish Republic, and perhaps 20,000 aging Spanish Republicans still live in Mexican exile. In his reaction to Franco, President Luis Echeverria Alvarez was powered by his sense of Mexican history.

That Mexico still recognizes the Spanish Republic in exile is to some Mexicans diplomacy based on fiction. Journalist José Natividad Rosales once called the policy "a romantic absurdity." For many other Mexicans, however, the recognition affirms their country's political ideals. "I do not want to assume dramatic or declamatory tones," wrote journalist Pedro Gringoire recently, "but some day it will be universally recognized that, in giving aid to the Republic and then taking the defeated to its breast, Mexico lived through one of the purest and most glorious hours of its history."

In a sense, by his reaction to the September executions, President Echeverria was trying to recall that hour. First, he ordered all contact with Spain suspended. That meant dismantling the steps that had been taken by the two countries in the last decade to normalize relations, short of diplomatic recognition. The President closed the offices of the unofficial representative of the Spanish Government, the Spanish Tourist Agency and the EFE, the Spanish News Agency. Spaniards in charge of those offices were expelled. All flights between Mexico and Spain were suspended, and the offices of Iberia Airlines were shut down. Trade, which had increased eight times in a decade and reached $114 million in 1974, was suspended. The President also ordered Mexican embassies and consulates to refuse visas to Spanish citizens—unless they were refugees from Franco. And he ordered airlines in Mexico to refuse passage to Mexican citizens intent on visiting Spain. When news of these acts reached them, Mexican singers and bullfighters ended their tours of Spain and headed home.

Echeverria went one further step. Describing the Spanish dictatorship as one propelled by "Nazi-fascism," the President asked U.N. Secretary-General Kurt Waldheim to call a meeting of the Security Council to expel Spain from the United Nations and to require all U.N. members to break diplomatic and trade relations with Spain and sever all rail, sea, air, postal, telegraph, radio, television and other communications links with Spain. Echeverria's letter was received by the Security Council with a good deal of frigidity. Except on the issue of South Africa, most U.N. members dislike proposals that might establish a precedent for the U.N. to look into their own internal affairs. The Security Council passed the letter on to a powerless committee.

The letter probably shattered Echeverria's campaign to succeed Waldheim as Secretary-General in 1976. Under Mexican law, the energetic, 53-year-old President cannot succeed himself, and his term of office comes to an end on December 1, 1976, exactly a month before Waldheim's term ends. For months, Mexican officials have campaigned, relatively openly and successfully, to make Echeverria the Third World's candidate for the U.N. position. But Echeverria's call for the expulsion of Spain undermined their efforts. Pierro Vinci, the Italian ambassador to the U.N., told a correspondent, "He has disqualified himself before the election." Echeverria's energy offended the membership. The Soviet Union, ever since the days of the late Dag Hammarskjöld, has made it clear that it will vote only for an inactive Secretary-General. The State Department has been annoyed in the last few years by what it sees as Echeverria's tendency to go off on rhetorical binges. Third World countries, which have their own despotisms to hide, do not look on what happens inside Spain as a major issue for them. The Arab countries, in fact, have had friendly relations with Franco.

Why then did Echeverria react so strongly to Franco's executions? It is possible, as some cynics believe, that he simply miscalculated, believing that a strong stand on a controversial issue would enhance his campaign. It is more likely, however, that he was carried away by the emotion of Mexican tradition. It was a chance for Echeverria to demonstrate to Mexicans that he was a worthy heir to one of their national heroes, President Lazaro Cardenas.

Cardenas was President of Mexico during the Spanish Civil War and, according to Mexican historian José Fuentes Mares, he identified the Spanish Republic with the goals of the Mexican Revolution. He believed that the Republicans had adopted for Spain the anti-clerical, anti-aristocratic policies of Mexico. It must, thus, have been emotionally satisfying for Mexicans to feel that their country, once the great colony of Spain, had become the guide and mentor of the old mother country.

During the Civil War, only Mexico and the Soviet Union gave open and official support and military aid to the Republic. Mexico, of course, gave the Republic far less military aid than did the USSR, but Mexico's position was more steadfast, allied to the Republic to the end. It was, in many ways, a more honorable position than that of Léon Blum's French Government, which sympathized with the Republic and gave it some surreptitious military aid through Mexico but remained officially neutral, like Britain and the United States.

When Franco defeated the Republican army, half a million Republican refugees fled across the border to southern France. France did not really want them and most other countries agreed to accept only a few. Eventu-

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ally, 200,000 returned to Spain. The rest either found work within a reluctant France or headed elsewhere.

Only Mexico made an open and generous offer to accept many. President Cardenas offered asylum to 60,000. Because of transportation problems during World War II, fewer than that showed up. There are no official statistics, but Martin Martinez Feduchy, the chargé d'affaires of the Republican embassy in Mexico City, estimated that 30,000 Republicans finally settled in Mexico. Some sources raise that to 50,000. In a complete break with Mexico's restrictive immigration policy, President Cardenas offered, and most Spaniards accepted, Mexican citizenship.

The refugees who came to Mexico were the intellectual elite of Republican Spain. More than half of Spain's university professors went into exile, mostly to Mexico. Five hundred physicians arrived, doubling the number of Mexican doctors. The refugees included historian Salvador de Madariaga, poet Leon Felipe, composer Rudolfo Halfter and movie director Luis Bunuel. Although more exiles remained in France, Mexico, according to American historian Patricia Fagen, became "the major center of Spanish exile life and culture." In fact, the Spaniards helped enormously to expand Mexican cultural activity and academic institutions.

After World War II, Mexican officials and Spanish Republicans expected the victorious allies to remove Franco and restore the Republic in Spain. Meanwhile, Mexico recognized a Spanish Republican government-in-exile and allowed its representatives to take over the old Spanish Embassy in Mexico City. The new United Nations refused to admit Franco Spain as a member, and it seemed for a while that the policy might be working.

But, as the cold war intensified, the anti-communism of Franco seemed more important to the United States and Western Europe than his pro-fascism during the Civil War and World War II. In 1955, the U.N. admitted Franco Spain, and the cause of the Republican government-in-exile was abandoned.

Yet Mexico decided to keep to its tradition. Today, only Mexico and Yugoslavia still recognize the Republican government-in-exile, and only Mexico has a Republican embassy. The Republicans keep their headquarters in Paris because of its nearness to Spain, but France, while tolerating the exile government, does not recognize it. According to Martinez Feduchy, fourteen or fifteen countries, like the Soviet Union and Poland, refuse to recognize Franco Spain but do not recognize the Republican government either.

The presence of the Spanish Republican exiles has contributed to the shaping of Mexican policy toward Franco Spain. They are an aging and romantic yet vital reminder of the past. Their numbers have dwindled to perhaps 20,000 now; their cause is choked with the futility of lost hopes. "We have a saying," joked Claudio Gomez recently, an engineer who arrived in Mexico as a child in 1942, "that you can always tell a Republican because his middle finger is worn off. Every year he taps his glass and says, 'next year, the Republic in Spain.' "

There actually are few illusions now. Most elderly Spanish Republicans in exile know that they will never see the old Republic restored in the same way again. Their time has passed, even if the regime of Franco is overthrown soon. They are only a symbol now of an old resistance to fascism.

Every April 14th, the Spanish Republican embassy holds a reception to commemorate the anniversary of the founding of the Republic in 1931. "I have been coming to these receptions for twenty-one years," said 70-year-old Lan Adomian, a naturalized Mexican composer who, as an American, fought with the Abraham Lincoln Brigade, "and I can see how their hair has become white and the light has gone out of their eyes."

Just as time has closed in on Franco in Spain, it is closing in on the exiles in Mexico. Juan Rejano, a 66-year-old Spanish poet and literary critic, agreed to talk with me recently about the Spanish Republican community in Mexico. "But," he said, "you have come too late. You should have interviewed me years ago. Now, most of us are dead. We are a community going extinct."

The Republicans in Mexico are a dying community because a good many of their children and almost all of their grandchildren have become Mexican, not only in citizenship but in culture. "The children," said Rejano, "are more Mexican than Spanish. That is only natural." Not only do the Republican ideals seem dim to them but so does Spain.

An outsider can sense the seeping away by visiting the Spanish Antheneum of Mexico, the most important Republican cultural club, founded in 1949 and named for the old club of intellectuals in Madrid before the Civil War. It takes up the top floor of a decaying mansion in downtown Mexico City. The floors and stairway are of solid oak. The walls are painted in Wedgwood blue and white, the blue fading, the white dusky. Most of the rooms are libraries, their glass bookcases crammed with dusty books, many about Spain and the war. The corridors have old, framed photographs of Spanish writers, among them Federico Garcia Lorca, executed by Franco's followers at the beginning of the war. The dimly lit auditorium features a reproduction of Picasso's "Guernica."

Dr. José Puche, the 79-year-old president of the Atheneum, said that it now has 700 members, but many pay dues and never attend its few lectures and other cultural events. "We are a cultural organization," he said. "We do not serve coffee. We do not play cards. So few come." Those who do come are aging Republicans, not their children, not their grandchildren.

The Spanish Republicans are realistic about their weakness and do not try to lobby the Mexican Government on Spanish policy. But their symbolic presence alone insures that Mexican officials cannot forget and neglect their romantic past. In the last decade, the Spanish Republicans have resigned themselves to the growing contact between their adopted country and Franco. These ties grew out of the affinity between the two cultures. Spanish goods,

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Spanish bullfighters, Spanish flights all came to Mexico. Mexico even allowed unofficial representatives of the Spanish Government to operate an office for issuing visas. Officially, the Mexican Government insisted that it would never recognize Spain until it had a government that represented the people, but many Republicans and Mexicans believed that Mexico was waiting only for the death or fall of Franco.

"My government does not agree with me," said a high official of the Mexican Government several months ago, "but I feel that the whole idea of the Spanish Republican embassy here is romantic and emotional. I suspect that some day we will have to recognize the Spanish Government. Of course, our recognition may not come until there is a change of government in Spain." A year ago, President Echeverria told a news conference, "I believe that we will soon be able to normalize relations with Spain." Then he added for emphasis, "soon, soon, soon." Although some Mexicans thought this meant a change in policy, most Republicans interpreted Echeverria's comment to mean only that he expected Franco to fall soon.

The latest events have cleared away any confusion. The Western European governments, which withdrew their ambassadors in protest over the executions in Spain, have sent them back. But there has been no renewal of contact by Mexico. When Franco dies, Mexico might embrace the new government if it were obviously anti-Franco. But Mexico would keep its cautious distance if the new government were in the Franco mold. Eventual recognition might come, but the broken contact would have to be rebuilt first. This may be an unrealistic policy for Mexico, but it is deeply based in the romance of Mexican history. □

Looking for Trouble: A Spy Story

EDWIN KENNEBECK

One of the most absurd minor spy stories of recent years is nonetheless frightening because it is true. This nonfiction hasn't been published, although it is a public document—a 56-page decision by a judge of the New York State Supreme Court, dated July 28, 1975. Written by Justice Peter J. McQuillan, it is about a black undercover police agent, Detective Oswald Alvarez. On May 18, 1971, Alvarez began an assignment: to hang out in the Lower East Side community of New York City, to live there, pretending to be a righteous resident, and to take the measure of activities that might turn out to be illegal.

Detective Alvarez, in barely coherent sentences, told Judge McQuillan at a hearing, "In the beginning I was just assigned to get known to criminal activities. Later on I was asked to make myself aware to, let's say, a Young Lord's office which was located in the area. . . .I was there to observe and overhear anything, not investigate. . . . To learn things." He was supposed to report "everything that I remember" to the headquarters of BOSS, also known as the Bureau of Special Services, New York City's secret police.

No particular crime was under investigation, no particular person was thought to be doing naughty deeds or dirty tricks. Somehow, nevertheless, Detective Alvarez began to focus on a man named Robert Collier, who was, and is, well-known around the Lower East Side. Collier became a friend, a guide and ultimately a victim of Alvarez. What happened to him is what happens to many people whose views and aims don't coincide with those of the Establishment, or with those of some local citizen who has become an authorized agent of the Establishment.

That Alvarez should have made Collier his quarry is not surprising. On the one hand, Collier was found guilty ten years ago of conspiring to blow up the Statue of Liberty and served twenty-one months of a five-year sentence. He was also one of the "Panther 21"—a group of black people charged with conspiring to dynamite subways in New York, blow up police stations, and perpetrate other revolutionary acts. They were arrested in April 1969. In May 1971—the twenty-one had become thirteen in the meantime—after a seven-month trial, a jury deliberated for only two and a half hours and found Collier and his twelve co-defendants not guilty. (I was a member of the jury and wrote of the experience in "Black Panthers in New York: Not Guilty of What?" *The Nation*, October 4, 1971.)

That decision came on May 13, 1971. Five days later, Oswald Alvarez began his job of reporting what he saw and heard around Collier's neighborhood. Collier, incidentally, wasn't even on the street yet; he and a few of the other Panther 13 were held beyond the day of acquittal for various reasons. Robert Collier was released a few days later.

On the other hand, Collier was, and is, well-known as a man seriously and energetically concerned about the quality of life in his community. Judge McQuillan's long opinion includes 3 pages listing "a selected sample" of people who made statements as character witnesses on Collier's behalf: the president of the New York City Health and Hospitals Corporation; a planning associate of the United Presbyterian Church; the executive director of Gouverneur Hospital; responsible people from the State University of New York; Morrisania Hospital, New York City Presbytery, Bellevue Hospital Center and many more. So it seems perversely logical, given the illogical pattern of Alvarez's assignment, that he should have made Robert Collier the chief object of his attention after meeting him during the summer of 1971.

This spy, according to U.S. law, was supposed to have a clear and definite reason for shadowing somebody. Did he? His justification for latching onto Collier is stated to the judge in intelligence double-talk: "Well . . . through my acquaintance with Herman Lopez and in conversation

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with Herman Lopez I learned that there was—there was some sort of organization trying to—attempts being formed, and during this time I had witnessed Lopez with firearms and he, in turn, introduced me to Collier, who supposedly was indirectly in control of the whole ball game."

Judge McQuillan, in a fine ironic style, comments on this syntactical arabesque: "The *Catch 22* quality of his answer, pregnant with innuendos . . . becomes apparent upon a close reading of the answer: 'some sort of organization trying to' do what? 'Attempts being formed'—by whom? When? Where? Does the adverb 'supposedly' connote anything more than a tentative assumption?. . . The elusiveness of the charge is something Kafka's characters might recognize—something hauntingly similar to accusing a person of having an 'overall plan to harass society's power structure.' " (The last phrase is an echo of the bizarre indictment against the Panther 21.)

Alvarez—despite the vagueness of his mission, despite the confusion of his own perceptions that is so manifest in his attempts to state them, despite Collier's solid reputation in the neighborhood—had a resounding success after his two years of listening, watching and informing. Police arrested Collier on July 5, 1973, along with four other men who, the police said, were part of a ring handling weapons and hand grenades. The *New York Post* ran a story on the front page, under a big headline based on nothing more than a careless police report that Collier was thought to be a leader of something they called the Black Liberation Army. The *Post* printed a retraction (under smaller headlines) the next day. (Three of the four "accomplices" pleaded guilty to some lesser charges, and the indictment against the fourth was dismissed.)

Collier was freed a week after he was arrested on bail of $25,000. (The money was raised by the Lower East Side community.) Occasionally I ran into him on a Greenwich Village street, and we exchanged greetings. It's beguiling to think that a slithery Alvarez type may have observed me talking to him.

Now I give away the happy ending of Judge McQuillan's story, as also reported by *The New York Times* and the *Post*. On July 28, 1975, the judge dismissed the charges against Collier (conspiracy, possession of weapons and stolen goods). In doing so, he wrote this 56-page spy adventure in the form of an official legal opinion; between its lines and in the lines themselves the judge expresses dismay at what the police were able to get away with.

It has the makings of a comedy—almost. Here is Detective Oswald Alvarez, pretending to be a plain street cat, taking odd jobs, getting to know Collier, following the culprit's rounds in the community, his attempts to do something about housing and education and recreation. But Alvarez wants only to get the goods on Collier. That's his job as a detective, to do somebody in, not, for God's sake, to help improve the neighborhood.

An attorney asks, "Mr. Collier tried to reform you, so to speak, by offering you jobs, by trying to get you involved in community activities or political activities during the time that you were undercover; isn't that a fair statement?" Alvarez: "Yeah."

The detective tried to keep up appearances as a young fellow who was game for anything, and he tells the judge that Collier tried to get him "interested in carpentry and things like that. . . . He wanted me to have my own money." Once, Alvarez made the mistake of telling Collier he was interested in photography, so Collier tried to get Alvarez into a vocational training course in film making—he could make films about housing and health problems. But, Alvarez says, "I wasn't interested in video tape, period." The detective did, however, let himself be persuaded to work with the Board of Elections at an election site one evening.

The comedy part doesn't last long. Alvarez wrote in one of his reports that he visited an apartment where he went through some papers that belonged to the tenant (the judge omits the person's name), such as "letters from Mentals Patiants [*sic*] Liberation Program." He also took from the apartment two photographs, one of the tenant and another of "a unk-m-w."

On another occasion, "while baby-sitting alone in defendant's apartment at the request of defendant's wife, [Alvarez] looked under a mattress. He explained, 'I searched for the weapon that I had recalled Collier putting under the mattress. . .two days before.' No gun was uncovered in this warrantless search," the judge tells us. "When asked if any police official ever told him to engage in a search or to pick up a mattress while alone in another person's home, he replied: 'I was basically, you know, on my own. . . .I don't recall being told what, you know, exactly. I was out there on my own at the time.' "

Out there on his own? Not really. He was out there as a policeman; BOSS knew what he was up to. Those unteachable BOSS men! Even after the fiasco of the Panther 13 trial, in which five of their spies—some of them a little brighter than Alvarez sounds—failed to produce any evidence to make the charges worth considering, the BOSS men simply kept doing what they had been doing. Not even a new style for their old outrages.

In a couple of deadpan paragraphs Judge McQuillan notes:

> On another occasion, while visiting defendant [Alvarez] looked into a shopping bag that defendant's wife had brought into the home and confirmed that the bag contained grocery items.
>
> While an invitee in a person's home, Alvarez was requested to look for athletic uniform [the Judge does not say why]. This incident is detailed in his daily report, and concludes with the observation that because of the named occupant's "presence, the assigned did not make a proper search." At the hearing, he sought to explain away the *lapus calami* as follows: "I wrote it as a search, but I, you know, I may not have meant it that way."

Alvarez told the Judge that whenever he was in Collier's apartment he would look at "literature or anything that was visible. What I seen, I read, you know, anything that striked interest. . . .Well, I looked around the apartment every time I was actually there, really. . . ."

It wasn't only Collier, of course, who came under the detective's expert observation. A man like Collier knows lots of people, goes lots of places. "I recall reporting when people went to the beach and they invited me or they didn't invite me or things like that, yes. I reported other people, yes." Once he noted that he "visited FDR Drive & 23 St. to look at persons bathing in a swimming pool." The judge notes that "when persons indicated that they knew

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defendant, this information was immediately relayed to BOSS."

No; Oswald Alvarez was not out on his own. The judge never says outright that Alvarez doesn't seem to be the most brilliant detective in the annals of crime; he lets the record speak, as they say, for itself. Alvarez goes to a community center during a local board election, but "the assigned was not able to attain the results of the election." In another report he nails a "Mrs. Rockafella" as a member of a certain community agency board. Another woman, whom he names, is "offered a job or something to work along with the kids from the community. . . .She was in control of a building somehow or another with the youth that lived. . .on Third Street somewhere. . . ."

Despite what we may call his dangerous tendencies toward impressionism, Alvarez obviously pleased the BOSS officers well enough for them to go on paying his salary for two years. Maybe they found special merit in his courage: he was, apparently, cool enough to brave the law of the land. Says the judge: "The making of duplicate keys to a person's home and other constitutionally protected premises was an apparently routine practice. For example, Alvarez made a duplicate key to the workshop of a community organization on Cherry Street where 'young kids in the neighborhood were taught carpentry skills,' and where 'defendant was working with those kids. . . .' " The judge continued:

> Alvarez also made a duplicate key to the offices of the Association of Community Services Center on Avenue D, where defendant was a salaried employee. . . .Alvarez said he visited this particular place "many, many times."
>
> Alvarez also made a duplicate key to the apartment of a friend of the defendant. All of those duplicate keys were forwarded to BOSS officials, who have retained them, presumably, to this very day.

The detective must have endured patiently quite a few boring hours. He followed Collier around to the community meetings. Collier, he reported, showed films to youths of the neighborhood and talked to them "constantly" about the dangers of drugs. Collier organized the Tompkins Square Community Center, fixed it up, ran it; he brought young men to a community building to learn how to work with tools; he was a member of the Advisory Board of Bellevue Hospital, and became a committee chairman.

Alvarez apparently had to spend hours with Collier at the hospital's Administration Building. He had to hang around while Collier talked to the Advisory Board about such things as membership and budgets. Collier was elected co-chairman of the Parents' Union for the local school-board district, so spy Alvarez had to go with him to board meetings. He had to wait around while Collier performed his duties as chairman of the Lower East Side Health Council; while he tried to establish a hospital patients' union (!); while he tried to get government money to help street gangs develop activities other than fighting. Collier and he went to a meeting of all the city's health advisory boards, and here Detective Alvarez even took part in a panel discussion. "When asked at the hearing if he attended this conference in his official capacity, Alvarez replied: 'I was always working as a police officer.' "

So, in June 1973 the bosses of BOSS decided that Alvarez would "surface." His "control" was Detective James Oliver, who told the judge, "It may have been at my. . .urgings that if Detective Alvarez was going to surface, I wanted to get the gun that might be in Collier's apartment." Detective Oliver asked an unnamed judge of the Criminal Court for a warrant. On what grounds? On the grounds that Alvarez, having taken a pistol that Collier asked him to hold "for safekeeping, returned it to Collier at his apartment on February 13, 1973."

It *is* a little odd that, if Alvarez saw Collier with a weapon in February, his control should wait until June 26 to try to get permission to seize it. Judge McQuillan tells us that Detective Oliver's application was denied: "It is clear beyond peradventure," he writes, "that 'staleness' was the basis for rejection. But neither Oliver nor any other BOSS official recalls why the June 26th application was denied."

Next day, on June 27, Detective Oliver, undaunted, again asked for a search warrant. Judge McQuillan finds at least three things odd about this application. First, Oliver claims in it that "no previous application in this matter has been made in this or any other court to any other judge or justice." Has Oliver forgotten what he was doing on the day before? If his statement isn't true, says the judge, "he exposes himself to a perjury prosecution. . . ."

The second puzzling detail is that Oliver now reveals some information that isn't quite so stale: on June 19, Alvarez had seen what appeared to be the butt of a gun in Collier's apartment, partly concealed by a mattress. He managed to reach down somehow and feel "a long barreled handgun" (not a pistol). "It strains plausibility," writes the judge, "that no police officer connected with this case can furnish any reason. . .why the first application (containing data more than four months stale) was rejected and why a second application submitted the next day suddenly and inexplicably alleges data that is only eight days old."

The third funny thing is that Alvarez's own written report for June 19 doesn't say anything about noticing a gun in the apartment that day—although the mattress incident is strangely similar to one that he did report in November 1972.

But this time the warrant was granted. On July 5, policemen went to Collier's apartment. Nobody was home, so they let themselves in. The police claim to have found a gun in a clothing dresser (not near a mattress). They also brought out with them a mimeograph machine, a projector, a speaker case, and a "Rheem victrola." The judge notes, "There was no basis for seizing such items." An officer also took an address book—an invasion of privacy about which the judge comments, "Police officers executing a search warrant in a person's home should be continually sensitive to constitutional limitations that distinguish our form of government from a police state."

Robert Collier's lawyer, Gerald B. Lefcourt (he was also one of the defense attorneys in the Panther 13 case, and I have him to thank for access to a copy of the judge's opinion) asked the judge to suppress evidence and quash the indictment, and he did so. The opinion not only tells the Tale of the Free-Wheeling Spy in readable style but concludes with an eloquent comment on the threat of a police state. We are familiar with the arguments by now, but somehow they always seem newly startling. "Unwar-

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ranted police surveillance will destroy our capacity to tolerate—and even encourage—dissent and nonconformity; it promotes a climate of fear; it intimidates, demoralizes and frightens the community into silence. 'Timid men,' Jefferson told us, 'prefer the calm of despotism to the boisterous seas of liberty.' A ubiquitous secret police and an obsequious society go hand in hand."

The judge cites many cogent statements by others: the Rockefeller Commission report on the CIA: "Individual freedoms and privacy are fundamental in our society." The 19th-century English jurist Sir Thomas Erskine May: "Next in importance to personal freedom is immunity from suspicion and jealous observations." Judge Learned Hand: "I believe that community is already in process of dissolution where each man begins to eye his neighbor as a possible enemey."

He cites Sen. Sam Ervin: "When people fear surveillance, whether it exists or not, when they grow afraid to speak their minds and hearts. . .then we shall cease to be a free society." He cites George Orwell's *1984*: "There was of course no way of knowing whether you were being watched at any given moment. . . ." He cites, among several other court cases, an opinion in *McDonald* v. *United States*: "Power is a heady thing; and history shows that the police acting on their own cannot be trusted."

Finally, Judge McQuillan appeals to the state legislature to consider the problem. "There is a compelling need," he writes, "for legislation to govern covert police activity."

The judge clearly believes in the value of secret investigations where there is real cause for suspicion that a crime might be committed. His plea that the Constitution should always be respected does not compromise his confidence that sage and legitimate police spying has to be done. Others of us might wonder whether we can hope that the brains and sophistication and compassion necessary for valid surveillance will ever be sufficiently available. "Intelligence" has, unfortunately, taken on two disparate meanings.

But it is heartening to read of Judge McQuillan's austere indignation. His opinion ought to be published in full. It uses very few of those woolly legalisms that obscure the anguish of such a case. It is a real-life horror story, with a moral: that we need a lot more Judge McQuillans and a lot fewer Detective Alvarezes. □

WATER AND POLITICS

FLOUTING THE RECLAMATION ACT

STANLEY POSS

Fresno, Calif.

Basically an irrigated desert lying between the Coast Range and the Sierra Nevada, California's Central Valley stretches nearly 500 miles north and south, from the Grapevine Pass 80 miles north of Los Angeles to a point north of Redding where, as the Sacramento Valley, it gets squeezed out finally by the Siskiyous about 80 miles south of Oregon. It is incredibly productive when coerced. California as a whole is second in crop production to the total of the rest of the country, and the southern half of the valley, the San Joaquin, contributes roughly half the state's total. Half the world's raisins are grown and processed within an hour of Fresno in the middle San Joaquin; more food is produced in the 100 miles between Fresno and Bakersfield at the lower end of the valley than in forty-one other states. Almonds, grapes, cotton, safflower, wine (a half gallon per month for every family in the country), lettuce, melons, lemons, prunes, apricots, plums pour from this immense cornucopia.

It's big business and it's highly centralized. It generates a third of California's jobs and contributes $6 billion per year to the GNP, but 1 per cent of the farms own 40 per cent of the crop land, 6 per cent own 75 per cent. Seven per cent employ 75 per cent of the labor force, 5 per cent pay 60 per cent of the wages. By contrast, the poorer farms, which average less than 50 acres, account for only 5 per cent of land-generated income. As Cesar Chavez observed in a recent interview, small farms in the United States (he doesn't define "small") shut down at the rate of more than 2,000 a week during the twenty years between 1950 and 1970 (there were 5.4 million in 1950, 2.9 million twenty years later). In Kern County, near Bakersfield, the average farm size is 2,279 acres. It goes without saying that the agricultural programs of the University of California and the State University and colleges are thoroughly committed to this large-scale exploitation of the land, and that its trustees and advisory boards interlock cozily with the directorships of the giant quasi-industrial farms.

The paradigm and epitome of valley agriculture is found on the West Side of the San Joaquin. The towns are few and almost without exception impoverished. To see Huron, Firebaugh, East Mendota, Cantua, Five Points, Raisin City, Lanare and Three Rocks is to see the rural bottom. On the other hand, the farms of the 600,000-acre Westland Water District used to be huge, up to 130,000 acres. The Southern Pacific Company alone owns 110,000 acres (land grants for a West Side railroad never built); Standard Oil, J.G. Boswell, Russell Giffen, and Anderson-Clayton, biggest cotton marketing firm in the world, also own tremendous chunks. Recently, however, the application of the seventy-three-year-old Federal Reclamation Law has caused their breakup, at least on paper. (See "Paul Taylor: The Power of a Tenacious Man" by Mary Ellen Leary, *The Nation*, October 12, 1974.) Giffen, for instance, recently signed a contract to sell more than 77,000 acres to some 280 buyers in parcels of less than 160 acres. The size is limited by application of the old law, which states that one owner may not obtain water from a federally subsidized project (in this case, the San Luis Project) if he owns more

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Photo: Bureau of Reclamation
U.S. Department of the Interior

The 102-Mile San Luis Canal, Near Los Banos

than 160 acres (double that for a couple), that "excess" land must be sold at a price that doesn't take into consideration the availability of the subsidized water and that owners and buyers must live on the land or in the neighborhood. An historic indictment was handed down early in June by a grand jury in Fresno, alleging against one John Bonadelle violation of the law on all three counts: historic because it's the first prosecution ever pressed under the 1902 Act. And by a stunning noncoincidence, Governor Brown signed *his* historic farm labor bill on the same day, Thursday, June 5. Before drawing the more or less obvious inferences from this conjunction of events, I shall pull back a little to establish a context for it.

It is 4:40 A.M. on June 7, 1975, and we're on what might be called a nontour of the West Side. That is, we're off to see—or, since they don't exist, not to see—the small farms presumably brought into being by recent enforcement of the Reclamation Act and to be instructed in patterns of land ownership and the ins and outs of sales of "excess" land (that is, parcels larger than 160 acres). Our instructor is George Ballis, a slight, straggly haired, headbanded social revolutionary-patriot of 50 or so, wearing high-topped tennis shoes without socks, a wrinkled shirt with the tails out and a sweat shirt below a lean Western face that manages to look both very young and very weathered. Ballis was for years editor of the Fresno *Valley Labor Citizen*; he worked for Democratic Rep. B.F. Sisk and functions now as general gadfly and conscience-pricker, free-lance journalist and photographer, and as secretary-treasurer of National Land for People, an organization dedicated to the enforcement of the Reclamation Act, the breakup of the farm monopolies and the agrarian ideal of people living on and profiting from the land they work. He's a mine of information on West Side land holdings and alleged violations of the 160-acre law. Last April he testified before the Senate Interior Committee on these alleged violations in behalf of National Land for People.

At the moment we're at the all-night Café de Flor de Mexico in West Fresno, the barrio-Chinatown-ghetto across the tracks from downtown Fresno. A farm labor shape-up is on but it's a slow morning, only one bus, since cotton chopping's finished. In any case, mechanization and elimination of the farm labor contractors (one of the achievements of Chavez's United Farm Workers Union) have drastically slowed the action at the café. Until recently, Ballis said, there might have been ninety or more busses for 4,000 or 5,000 workers. Now they often drive to work or are picked up by the growers' busses closer to the fields. At least there's less traveling involved. Formerly, workers might be on a labor bus for two hours or more before they got to the job—and the pay.

We clear the outskirts in our bus and head west on dark country roads. The sun behind the Sierra will produce 100-degree heat in a few hours; just now, it gives barely enough light to make out billboards (palms, sun, sand, happy vacationers: "Join the Security Feed Family on Its Caribbean Cruise! What You Seed Is What You Get!"). Near the hamlet of Cantua we stop by the San Luis Canal. Ballis produces charts he'd used in testimony before the Interior Committee showing how some of the large holdings have been broken up into parcels of less than 160 acres in order to qualify for the federally funded water, without which the land is worth less than half its value and for which qualified users pay 17 per cent of the cost (we pay the rest in taxes). But Ballis points out that, even though they've been officially approved by the Bureau of Reclamation, sales of some of the parcels seem to violate the 1902 law, because in many cases the "buyers" are the family and friends of the actual purchaser.

The charts show an elaborate series of interlocking relationships of questionable legality. Everybody seems connected to everyone else. Take for instance a recent sale whereby 1,754 acres were split into twelve parcels, all smaller than 160 acres but all contiguous; before the sale they were farmed as one piece. One of the new farmers turns out unexpectedly to be a cocktail waitress who works for an in-law of the recently indicted Bonadelle, a big Fresno developer-speculator whose relatives and friends seem in large numbers to have abandoned their knit slacks and white shoes for denim shirts and short-handled hoes. At least that's what the records imply. One shouldn't, of course, confuse coincidence with causal connections, but it is true that all twelve of the first grant deed holders used one address, which turns out to be the headquarters of Land Dynamics, Bonadelle's principal company, and that the twelve buyers, each of whom allegedly received $1,000 for the use of his or her name, speedily and collectively gave up their agrarian dreams by reselling in a week and a half the entire acreage to various friends and associates of a big cattleman for a total profit of $229,365, which works out at a rate of about $868 per hour for someone. The figures on the profit vary from the low of the *Fresno Bee* story to Ballis's high of $321,706.) Anyhow, the waitress is, or was, as much a bona-fide farmer as the others whose names now appear on the title deeds but who live in Fresno or New York or Tokyo instead of on their land, as the law requires. As we looked out over the huge fields, with hardly a habitation in sight, Ballis bade us observe a typical cluster of family farms, West Side style.

The July grand jury claims that the cattleman who operates the property in fact financed the purchases of the Bonadelle twelve. In addition, he seems to be one of

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the chief movers of the transaction. Why, then, has he not been named? Asked this, spokesmen for the Bureau of Reclamation said that the law against land speculation governs only the first sale when the land is "excess." After it's broken down into less than 160-acre pieces the price regulation no longer obtains. The U.S. Attorney in Fresno says that he's investigated other sales in the Westlands District and found no evidence of criminal conduct on the part of buyers or sellers. The five charts available from National Land for People suggest otherwise. That is, while they don't necessarily prove "criminal conduct," they do appear borderline, to put it at its best.

We spent about seven hours at various locations on the West Side but the stories differed only in details from the Bonadelle transaction. Water is power in a special sense out here: the power of profits, thus ultimately political power. Lots of people want this land, according to Ballis, but they can't get into the club. They live in the rural slums of El Porvenir (a "suburb" of Three Rocks), in the shanties of Lanare, or in East Mendota, which is one low step above a Hooverville. By contrast, the splendid River Ranch of one of the biggest farmers is the frequent site of social and charitable occasions, where the local aristocracy from Fresno and other towns is regaled at *concours d'elegance* (car shows) or displays of horsemanship, with lavish spreads of food and drink on the immaculate grass.

All this depends on water. When you see it, Ballis admonished us, see gold, see power and learn again the political and moral fact that where your treasure is, there will your heart be. Nobody's going to give all this up without a fight. One strategy has been the formation of the Westlands Water District as opposed to an Irrigation District. The latter operates on the principle of one man, one vote; the former on that of $1 worth of land, one vote. Hence the ritual appearance of the Southern Pacific representative, who comes over from his stone house in Carmel to record his vote in behalf of the conglomerate that controls 20 per cent of the ballots. And hence the $80,000 annual salary paid to the Westlands manager, who recently published a defensive and intemperate letter in the *Fresno Bee* attacking a reporter who'd dared imply that Westland's commitment to the public weal was less than total.

On the return trip Ballis varied the themes of absentee landlords, farming as an industry, conglomerates and monopoly capitalism by stopping at a 40-acre cooperative farm near Raisin City, where we talked with members of the four Chicano families who operate it. A remarkable woman named Jessie de la Cruz, who's lived in the valley most of her life and who's been involved for years in social action and civil rights movements, described the farm operation. She and her husband had cultivated on the old Giffen holdings with the 12-inch hoes for fifteen years and are now trying to compete by raising specialty crops such as cherry tomatoes, which they say will "taste good," will taste of the earth. The de la Cruzes and the others don't use pesticides, but since they're sprayed on the orchard adjoining, some fallout descends on the co-op farm. The 40 acres, which aren't close enough to a canal to get water from the San Luis Project, are called collectively "Bracero Farms." Why? We don't want to forget, says Jessie de la Cruz.

Had it not been for their initiative and their bit of capital, the co-op farmers would still be field hands and among the many to be affected by Gov. Edmund Brown's epochal farm labor bill, which went into effect August 28. Its legal name is the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975, but it was Brown's doing, and a stunning coup. He managed to get a blanket stretched over such uneasy bedfellows as the United Farm Workers, the major grower organizations, the Teamsters and the State Federation of Labor (AFL-CIO), a coalition justly described as "shaky." The bill requires that elections by secret ballot be held among farm workers before contract negotiations begin with the growers. Started in September, the elections are enabling the workers to choose between the UFW or the Teamsters or no union at all to represent them in negotiations over wages, working conditions and benefits. The new law permits elections to be called even on farms where the Teamsters or the UFW have contracts, since their signing wasn't necessarily preceded by an election. A five-member Agricultural Labor Relations Board appointed by the Governor (at salaries of $42,500 per year) will oversee elections and hear charges of unfair labor practices by either side. Since secondary boycotts are prohibited but consumer boycotts are allowed, and since Chavez has made clear that he intends to continue his boycott of table grapes, lettuce and Gallo wine until contracts are signed with these employers, it's likely that the new board will hear its first charge rather soon. A Gallo vice president said in June that he "applauded" the Governor's efforts but "deplored" the continuation of the boycott. Gallo, however, buys page ads in valley newspapers claiming that the boycott hasn't hurt a bit. The ads also encourage consumers to stand up for their rights, chief among them the sacred right to choose among competing brands.

Framing between them seventy-three years of classic *laissez-faire* capitalism, with its concomitants of alienation and mystification, deceit, exploitation, big profits, hate and the perpetuation of racial, social, cultural and economic barriers, the 1902 Reclamation Act and the Brown farm labor bill may be seen as marking an era. But one shouldn't be too sanguine. Governor Brown says "his" bill is only a step toward ending injustice, while on the land and water front the immediate issue is a new contract signed last March by the Bureau of Reclamation and the Westlands Water District which will soon be final unless Congress intervenes. Sen. Gaylord Nelson has been holding hearings on the contract; George Ballis and Jessie de la Cruz are testifying for National Land for People, along with Westlands spokesmen and bureau officials. The most controversial feature of the new contract is the surprise phrase, ". . .excess land under a recordable contract may be sold as excess land to any purchaser," which means that Standard Oil could sell its land to Southern Pacific, or vice versa, and not be subject to the 160-acre restriction for the duration of the contract. So *The Grapes of Wrath* era isn't over yet and all the principals are very much present on the great stage.

What keeps a man alive? asks Brecht. Answer: he lives on others. It seems to be one of the fixed rules of conduct in our social order. The implications of the Brown bill and the Bonadelle indictment are hopeful but we need to remember *Realpolitik* and our own dark hearts. □

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BOOKS & THE ARTS

'I Am Not a Marxist—I am Marx'

KARL MARX: His Life and Thought. *By David McLellan. Harper & Row. 498 pp. $12.50.*

MARX AND BURKE: A Revisionist View. *By Ruth A. Bevan. Open Court Publishing Co. 196 pp. $7.95.*

BERNARD K. JOHNPOLL

Karl Marx, "the best hated and most calumniated man of his time," has emerged, ninety-one years after his death, as the most influential thinker of our time. The ideas that Marx expounded during the middle and later 19th century have been transformed into the myths around which, during our own century, revolutions have been plotted and new social and political systems have been constructed. For Marx was "before all else a revolutionist," whose ideas could, by his own definition, hardly have become a driving force before their time had come. Admittedly, he had a considerable following by the time of his death; huge political parties in Germany and France and growing labor movements had during the 19th century adopted his slogans, if not his philosophy, as their own. Even Samuel Gompers, that very model of a model business unionist, had, as Stuart Bruce Kaufman points out in his excellent new study of the founder of the American Federation of Labor (*Samuel Gompers and the Origins of the American Federation of Labor, 1848-1896.* Greenwood Press, 1974), proclaimed himself a Marxist during the 1870s and 1880s. But it was not until the present century that Marx's theories had their greatest influence, for it was only in the present century that they have been institutionalized into *Marxism*—a dogma defined and enforced by existing parties and governments.

Because Marxism has become significant in our time, Marx—the man and his ideas—has become obscure. As Marxism has become more operative, Marx has become less understood. He was at bottom a philosopher who dabbled in economics and politics; his primary interest was analytical, not prescriptive. Marxism, on the contrary, has been from the start purely economic and political. It purports to be rooted in Marx's analysis and methodology, but by the nature of its interests it is virtually precluded from having an integral relationship with the ideas of its patron saint: politics and economics are institutionally pragmatic; philosophy necessarily directs itself to broader considerations. Thus all that is left of the philosophy of Marx, in this era of Marxism, is myth.

In recent years scholars of various inclinations have tried to portray Marx in his proper element, as a philosopher. Over the past two decades there has been a concerted effort on the part of a number of his followers to present him as a humanistic thinker searching for the causes of the human condition. These scholarly attempts have had some success—they have unveiled much of Marx's thought that has hitherto been hidden. Their authors' researches have pointed to the significance of the early Marx's interest in man's estrangement from himself, and tried to show that his interest did not wane later on. In sum, they have shown that Marx was far less concerned with creating a circumscribed economic and political utopia than with elevating man to the level where he could recognize his own significance. They have thus turned Marx from a prosaic polemicist into the philosophical giant he really was.

One of the major new Marxian scholars, David McLellan of Kent University, England, has attempted to synthesize all of the new and much of the old material about Marx into a new intellectual biography. In so doing he has succeeded in picturing Marx as a complex human being with the strength and weakness that flesh is heir to. Nowhere is the complexity of Marx, the man and the thinker, more obvious than in his view of the Jewish problem. Marx was descended from a long line of distinguished rabbis. His mother, born in Holland of Hungarian-Jewish parents, spoke Yiddish—she barely knew German. His father, who was born in Germany, was an attorney who became a Protestant before Karl's birth. Marx himself was baptized as a child and raised as a Protestant and a German in the milieu of the post-Napoleonic Enlightenment.

Marx has been accused with some justification of anti-Semitic leanings. A. Kuenzli's recent psycho-biography (which, unfortunately, has not as yet been translated from German to English) tries to prove that Jewish self-hatred was one of the roots of Marx's social thought. There has also been a spate of articles, particularly during the 1940s and 1950s, which try to prove that Marx hated everything Jewish. Recently, Dagobert Runes published a version of Marx's *Zur Judenfrage* (*On the Jewish Question*), under the title, *World Without Jews*, in an effort to bolster this line of argument. And of course attempts have been made to refute the claim that Marx was anti-Semitic. Some scholars—most notably A. Massiczek, *Das Menschliches Mensch: Karl Marx's jüdischer Humanismus* (1968)—have even argued that Marx's humanism is attributable to his rabbinic ancestry and the Jewish tradition.

McLellan doubts that Marx's Jewish ancestry was crucial to the development of his ideas. He points out that the Jewish prophetic tradition was scarcely confined to Marx during the 19th century, or to the Jews, for that matter. It had long been a part of the intellectual heritage of the West.

McLellan also doubts that Marx was an anti-Semite. He concedes that the young Marx assailed the *Judentum* in *Zur Judenfrage*. But he notes that the *Judentum* had a secondary definition in 19th-century German—it was a synonym for commerce. McLellan believes that Marx used *Judentum* in that very sense, and his intent was to deprecate commerce and capitalism. There is some truth to the argument. However, while some parts of *Zur Judenfrage*, particularly the second half, which is a paraphrase of an unpublished article by Moses Hess, could well be considered an attack on commerce generally, a close examination of the pamphlet as a whole does not support McLellan's view. *Zur Judenfrage* is a multifaceted attack upon religion, with special emphasis on Judaism, as well as a polemic against the commercial system. Marx thus used *Judentum* in both senses, as, for example, when he wrote: "Judaism has maintained itself alongside Christianity, not only because it constituted the religious criticism of Christianity and embodied the religious origins of Christianity but equally because the practical Jewish

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spirit . . . has perpetuated itself in Christian society. . . ." There are other indications of Marx's anti-Semitism which McLellan largely ignores: his letters castigating his Socialist contemporary, Lassalle, as a "nigger Jew"; and his insistence in his letters to Engels upon calling Lassalle "Itsig"— a derogatory name for all Jews used by upper and middle-class Germans of the 19th century. But despite these unpleasant manners it is inaccurate to speak of Marx as an anti-Semite. His distaste for Judaism was part of his overall distaste for religion, which he believed to be an alienating force in society. His anti-Jewish slurs against Lassalle merely reflected the state of the German mind at that period. And the letters were private, addressed to his good friend and supporter, Engels, with whom he felt he could be candidly vulgar.

In any case, Marx the man is much less significant than Marx the philosopher, and anti-Semitism is not reflected in his philosophy. The basic Marxian ideal is a Utopia in which man is no longer alienated from himself. Under the present system, and all past systems, man is alienated either because of a god—a fictional stranger whom man worships and credits with doing the things he has himself accomplished—or by an economic order which makes of him a mere commodity. This alienation has been aggravated in the capitalist system by the division of labor, which robs man of the joy of knowing the product of his own work. In a society without alienation, Marx expected that Jews would be freed from the bondage of their religion and of the commercial system in which their religion thrived. Instead of being slaves to religion and commerce, they would be free citizens in a socialist Utopia.

McLellan's book is probably the best extant biography of Marx. It avoids the hagiography of Mehring's classic, and eschews the animosity of Schwartzchild's book published during the cold war. It is a balanced exploration of Marx the man, and a knowledgeable analysis of Marx's ideas. Marx emerges as a man dedicated to using his great mental abilities to revolutionize the world. Marx's thought covered three distinct periods: in his late 20s and early 30s, during the 1840s and early 1850s, Marx was seeking an elusive, all encompassing truth which would explain completely man's condition and light the way to man's emanicipation; during the period following the publication of the *Communist Manifesto* until the early 1860s, Marx was a revolutionary leader and polemicist; for the last two decades of his life—he died in 1883—Marx was the elder statesman of the Socialist movement, analyzing the existing economic and political system, debating alternatives and warning against precipitate, and thus futile, revolutionary action. During the last period Marx made an effort to pull together the various strands of his thought. He never completed the task—although Engels attempted to do so in editing the last two volumes of *Kapital* after Marx's death—because it was impossible to achieve. The three distinct albeit occasionally overlapping periods in Marx's development reflect concerns and directions that are basically unrelated. McLellan's attempt to demonstrate that they are related is less than convincing.

His book is full of sympathy for Marx, but there is little hero-worship in it; the author is a Marxist, but he is not a sycophantic adulator. And McLellan is a good writer; his style is pleasant to read.

Just as McLellan's book offers an intriguing examination of Marx, so does Professor Bevan's book provide an interesting and provocative analysis. For Ms. Bevan, a professor of political science at New York's Yeshiva University, has found a similarity in the outlook of Karl Marx and Edmund Burke, two key antagonists in the struggle of ideas. She concedes that there are real and major differences between Burke and Marx but argues that these should not obscure the many "outlooks and orientations" they shared. "Their similarities have been obscured," Professor Bevan says, ". . . but these similarities suggest that there is some . . . possibility of dialogue" between the socialist followers of Marx and the conservative followers of Burke. There is considerable merit to the argument, for, as she points out, both men agreed that the activity of the world was sequential or logical and not chaotic; both believed in an independent and material world, and both emphasized the empirical approach. "Man through his sense perception and mental reflection can 'experience' and come to know the world about him," they believed. Thus Burke and Marx agreed that man was "both responsive to . . . reality and responsible in his understanding of it." Moreover both saw the order and activity of society as the basis for all historical social change. Burke and Marx agreed on the need for social change based upon an accurate apprehension of social reality. Both opposed irrational revolution or change. Where they differed was in their vision of the results of such social change—a significant point of disagreement. But, as Professor Bevan argues effectively, their basic approach is the same. □

Danger, Fear and Self-Revulsion

I WOULD HAVE SAVED THEM IF I COULD. *By Leonard Michaels. Farrar, Straus & Giroux. 188 pp. $7.95.*

CHARLES BAZERMAN

Leonard Michaels's commitment to truth-in-fiction has sharpened his stories to make this, his second collection, surpass his earlier *Going Places*. The Michaels of the first collection let philosophy and theatrics obscure his fictional impulse. The stories moved quickly from problems of the soul to sexual adventure, mugging and suicide. The troubled but smug attitudinizing never moved far from the quasi-problems and quasi-solutions of fashionable psychotherapies. But the new collection, *I Would Have Saved Them If I Could*, reveals the confused and scarred self behind the mask of fashionable attitudes. Persistently reaching for the feeling life of characters, Michaels no longer needs to rely on the bizarre to gain startling effects; life's intricacies are sufficiently eye-opening. What remains of the bizarre is subordinated to the weightier emotional freight of the stories.

On first reading, the opening story, "Murderers," could be mistaken for a comic routine overwhelmed by a pretentious metaphoric death. The scene in which four boys look on from a neighboring roof while a young rabbi and his wife begin to make love to the strains of Choo-Choo Lopez's rendition of *The Miami Beach Rhumba* is in the spirit of Lenny Bruce, but when Arnold Bloom in his excitement slips off the roof to his death, we wince at what looks like strained symbolism. But there is more to the story than that. Danger, fear and self-revulsion accompany the boys' discovery of the world. Arnold Bloom isn't a sacrifice to the parental gods; he is just one who doesn't survive the growing up. Those who do pay the price of scars and involution. The other boys are shipped off to a camp where the

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SAY SUMMER—FOR MY MOTHER

I could give it back to you, perhaps in a season,
say summer. I could give you leaf back, green
grass, sky full of rain, root
that won't dig deeper, the names called out
just before sundown: Linda back, Susy back,
Carolyn. *I could give you back supper*
on the porch or the room without a breath
of fresh air, back the little tears in the heat,
the hot sleep on the kitchen floor,
back the talk in the great dark,
the voices low on the lawn
so the children can't hear,
say summer, say father, say mother:
Ruth *and* Mary *and* Esther, *names in a book,*
names I remember—I could give you back this name,
and back the breath to say it with—
we all know we'll die of our children—
back the tree bent over the water,
back the sun burning down,
back the witness back each morning.

Stanley Plumly

discipline of the world is enforced by those who carry around life's lessons in their bodies.

> We hiked and played volleyball. One day, apropos of nothing, Melvin came to me and said little Arnold had been made of gold, and he, Melvin, of shit. I appreciated the sentiment, but to my mind they were both made of shit. Harold Cohen never again spoke to either of us. The counselors in the camp were World War II veterans, introspective men. Some carried shrapnel in their bodies. One had a metal plate in his head. Whatever you said to them they seemed to be thinking of something else, even when they answered. But step out of line and a plastic lanyard whistled burning notice across your ass.

In "Storytellers, Liars, and Bores" the economic dilemma of the beginning writer is defined by the two poles of Uncle Zev and Tony Icona:

> My Uncle Zev told me about his years in a concentration camp. "Write it," he said. "You'll make a million bucks." My friend Tony Icona gave me lessons in breaking and entering. Uncle Zev's stories I couldn't use. Tony's lessons were as good as gold. Criminal life was intermittent and quick. It left me time to work at stories and learn about tearing them up.

It takes 6 pages for the writer to fall through all the degradations that art demands. Having shed all his friends—including the last and most boring memory—he is ready to meet Kafka in a dream. And Kafka, the master of the sublime, after shaking hands with the writer, wipes his fingers on his tie: the muse takes a lot out of you. The shifting tones of the narrative voice carry much of the meaning of the story, and suggest the attitudes of the writer toward himself and his art.

In *Going Places* the reader very rarely was given any indication of how lines were to be read, but in the present book the inflections are made clear. When Joyce Wolf's fiancé, Mandell, speaks, we know why he is to be despised. His repetitions that have no incremental effect, the adolescent use of "like" as an ineffective modifier, the self-important airs about ordinary lust, his casting of himself as the celebrant of love—all these are manifest in his speeches.

> Mandell asked if she had ever been celebrated.
> "Celebrated?"
> "I mean your body, has your body ever been celebrated?" Then, as if to refine the question: "I mean, like, has your body, like, been celebrated?"

The involutions of judgment and feeling that we find in these stories arise from the author's facing of himself and his life. Such a process rarely makes an attractive picture. The writer who wants to get at the truth of his own experience must admit how he has acted. And it won't do to work the self-glorifying vein of the picaresque novels of the 1960s nor the sentimentalizing vein of the more recent psychiatric sob and salvation stories. Nor does the confessional mode get at the truth of experience if it simply exploits a self-berating sensibility. Michaels's method is a good deal more serious than these. It tries to describe how people actually behave, how they respond to themselves and others and what their real limitations are.

The first-person stories of the collection, most of which appear to be narrated by a stand-in for the author, seem to me to be the better ones because they give Michaels's painful character analyses a center and a sympathy lacking in the third-person stories—like "The Captain," which is unrelievedly cruel, and "Trotsky's Garden," which is unrelievedly grandiose. In the first-person stories, Michaels shows his narrator coming to understand that the physical and spiritual deaths he sees happening to others are his own. Here is a short piece from a composite story, "Eating Out," made of two dozen such pieces:

The Hand

> I smacked my little boy. My anger was powerful. Like justice. Then I discovered no feeling in the hand. I said, "Listen, I want to explain the complexities to you." I spoke with seriousness and care, particularly of fathers. He asked, when I finished, if I wanted him to forgive me. I said yes, He said no. Like trumps.

Michaels's stories aim for the multi-layered intensity of Kafka's parables. That is shooting very high, but

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often enough he is right on target. Sometimes, as in the title story, "I Would Have Saved Them If I Could," which is made up of meditative paragraphs, the philosophy outweighs the fiction. The central issue, suffering preserved as a presence through fiction, comes alive only enough for us to want to read the story in some future version.

The issues Michaels writes about are difficult to capture. His writing is much denser than it seems to be at first. And his world is not attractive. So when he fails, we dislike what strike us as his pretensions. However, he succeeds often enough to make us take him seriously. He is in the process of becoming as good a writer as he thinks he is. □

The Mystical View of Experience

JUNG AND THE STORY OF OUR TIME. *By Laurens van der Post. Pantheon Books. 198 pp. $12.95.*

MARTIN LEBOWITZ

The current and fashionable belief that insanity is a breakthrough to a deeper level of experience probably originates with Jung. This fact encourages the view that a true division of labor may exist between Freud and Jung in regard to the former's profound interest in neurosis and the latter's preoccupation with psychosis. Van der Post portrays Jung as above all a religious mystic who believed in the curative power of love, the "feminine principle" in both man and woman. He described God in terms derived from German romanticism, as an all-inclusive *Tremendum*, incorporating conflict, contradiction and in particular the Mephistophelian and Faustian principle of evil which is essential for redemption to be operative. The fall of man (neurosis or psychosis) necessarily precedes his salvation or "cure," Jung seems to say—the solicited yet spontaneous and unpredictable gift of grace leading to a higher form of human existence.

The pioneering idea that psychotic symptoms are meaningful and in an obscure yet intelligible sense "functional," is also clearly Jungian. But what separates Jung from earlier and later attitudes than his own is the contention that paranoid beliefs have a sort of objective justification. His work is in part a metaphysical "defense" of insanity, in the sense that he insisted, in accordance with his religious upbringing and philosophical education, both on the "objectivity" of the psyche and on the purposive and even providential nature of human experience. There is an obvious analogy between Jung's opinion on this matter and Toynbee's concept of cultural breakdown and the birth of higher religions.

The modern mind, which in the case of Freud adopted mechanical and materialist assumptions, took a compensatory turn in the life and work of Jung. Nietzsche was of course a living influence at the University of Basel when Jung was a student there. But Nietzsche's suggestive antithesis between the Dionysian and Apollonian spirit, and his celebration of the Faustian doctrine of sin or error as the precondition of growth, virtue and love, were not without intellectual competition at Basel. There was also the influence of Burckhardt's history of the Renaissance, the reality of intellectual growth and rebirth—an aspect of European history that was inseparable from Jung's view, at once vitalist and historicist, of human nature. Laurens van der Post, in this connection, makes much of Jung's youthful personality even in old age, especially his natural capacity for laughter. Van der Post makes a point of the psychological relation between these characteristics and Jung's "acausal" or mystical view of experience. Thus there is a certain propriety in his name—Jung—and in a sense his study of the Renaissance, the revival of learning, provided the model for all "archetypes" when he came to apply that term to those primordial, ideas, therapeutically evoked, to which he imputed human health and development.

Besides abysmal poverty, Jung's childhood was marked by extreme introversion. Indeed, he probably invented the distinction between introvert and extrovert in self-defense. Unpopular in school and falsely accused of plagiarism by one of his teachers when he had written a particularly impressive essay, he was attentive to his dreams and showed an amazing memory for them in maturity; he also had waking fantasies or visions of peculiar intensity. All this helps explain his interest in schizophrenia. It also suggests that the notion of "symbol" became so vital to his thinking precisely because it expressed the manner in which he himself adapted his inner nature or functional need to the external world; for, in subsequent years, he appears very much an extrovert. Thus his life illustrates the personal "individuation" of which he wrote, but as a process of *extroversion*. Van der Post notes, for instance, that Jung had a genius for "propinquity . . . a born, great and inspired neighbor to all sorts and conditions of men and women."

At the age of 12 he had a waking vision in which he saw the Cathedral of Basel shattered by divine excrement dropped from a golden throne high in a bright blue sky. This vision expressed for him the mortal split in the Western European spirit, outwardly manifest in the increasing conflict between science and religion, the devaluation of meaning and purpose to which modern man had been led by scientific empiricism. Van der Post, who knew Jung well during the final sixteen years of his life and produced a remarkable film on him, implies that Jung considered himself to be in conflict with the dominant intellectual tendencies of his time.

The Germanic strain of philo-

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sophical idealism which is implicit in Analytical Psychology has an obvious counterpart in that school's preoccupation with dreams. Van der Post himself is sympathetic to Jung's acceptance of nearly all the phenomena studied by psychic research. Jung believed that the pathology of the individual is largely that of his own time, and that therapy expresses an element of identity between patient and analyst—supplied by the collective unconscious or *Zeitgeist*. Thus Jung's grandiosity is doubtless an aspect of a typical modern trait, but it may also reflect his courage in propounding an attitude that is not merely unpopular but, in the last analysis, scientifically unsatisfactory.

As for the psychological consequences of the modern view that Jung rejected, history has shown that the philosophical alternatives to science and positivism have a deep and baleful resemblance to psychosis. Indeed, the comparative merits, moral and metaphysical, of scientific and nonscientific points of view is exactly the issue raised by Jung's work. Yet the fascination of Jung is inescapable and van der Post has given us an excellent book—eloquent, learned and most impressive in its evocation of a devilishly provocative man whose paradoxical appeal is that he was a religious immoralist. □

Book Marks

EMILE CAPOUYA

OPERATION OGRO: The Execution of Admiral Luís Carrero Blanco. *By Julen Agirre. Translated from the Spanish, adapted and with an introduction by Barbara Probst Solomon. Quadrangle/ The New York Times Book Co. 196 pp. $8.95.*

The subtitle is tendentious, of course, for what happened to Carrero Blanco is more commonly described as assassination. The terminological difficulty points directly to the moral and political dilemma out of which the incidents recounted here arose. As Barbara Probst Solomon says in her introduction to the book she has adapted and translated from the original Spanish version, *"Operation Ogro* is the actual taped account of the four young Basques—Txabi, Iker, Mikel and Jon—who came to Madrid, lived in the city for about a year, carefully picked their target, Admiral Luís Carrero Blanco (whom they considered their key enemy in the Spanish Government after Generalísimo Francisco Franco) and assassinated him on December 20, 1973 by dynamiting his car to the height of the fifth floor of the Madrid church, San Francisco de Borja." The young men who killed Carrero Blanco regarded themselves as being engaged in war; their action, accordingly, was in their eyes at very least a legitimate reprisal, and possibly the bringing of a criminal to justice—hence "execution." A more objective view might be that their action was counter-terror, directed against the quite ruthless terror with which the Spanish Government meets any expression of Basque nationalism. A tyranny like that of Franco, whose symbols are police armed with automatic rifles, and capital punishment by means of the garrote, drives dissent to terrorism by the ferocity of its attempt at suppressing it. The resulting atmosphere is humanly unbearable, and thus politically disastrous to the interests of the regime in power; unless all terrorists and potential terrorists are exterminated—something hard to accomplish even in a totalitarian state—the disruption of the nation's normal habits and expectations undermines the authority of government and hastens its collapse. And as *Operation Ogro* demonstrates, the cost to all the actors in the drama is very high. Carrero Blanco is dead, and as for the young Basque terrorists, by their own account, they were in a stupor of terror before, during and after the killing.

Without the original version at hand, there is no way to judge in what ways the English adaptation improves or distorts the account of "Operation Ogro." The translation is certainly vivid and touching.

THE ROCKEFELLER SYNDROME. *By Ferdinand Lundberg. Lyle Stuart. 404 pp. $12.50.*

Well known for his books on the movers and shakers of American industry, finance and politics—such as *Imperial Hearst, America's Sixty Families* and, most recently, *The Rich and the Super-Rich*—Ferdinand Lundberg has the irreverence of the old-fashioned muckraker, and something of the confirmed cynicism of that later generation that has experienced the Watergate disclosures. His new book is a sketch of the holdings and the power of our reigning Rockefellers, intended perhaps as a cautionary tale for those who might feel tempted to confer the Presidency of the United States on the man who has everything else. Mr. Lundberg suggests that the impulse of business-as-usual with the Rockefellers is to make a desolation and call it peace: he cites in this connection the World Trade Center and the Albany Mall, remarking that the physical appearance of those monuments tells the whole story of tasteless gigantism and cheerful disregard for other people's money. One might hope that Americans, with their mugwump distaste for "Wall Street," do not need Mr. Lundberg's warning. However, the ingrained habit of voting for the lesser evil might yet put Nelson Rockefeller in the White House, given the penchant of the two great parties to produce the sorriest candidates for the highest office in the land. In any case, Mr. Lundberg's book shows that the Rockefellers do not need to have majority ownership to control strategic sectors of finance and industry, and hints strongly that the Rockefeller pattern is the dominant one among the business elite. That testimony implies that America during its Bicentennial celebration does not yet incarnate the vision of the founding fathers.

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THE ORIGIN OF ECONOMIC IDEAS. *By Guy Routh. International Arts and Sciences Press. 321 pp. $18.*

Guy Routh is reader in economics at the University of Sussex, England, and author of *Occupation and Pay in Great Britain, 1906-1960*. Besides the qualifications suggested by his university post and his special study, he has had direct experience in the world of business and industry. Perhaps that is the origin of his dissatisfaction with orthodox economics, of which this book is a lively history and critique. Mr. Routh's contention is that political economy, from its beginnings in the 17th century to

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the present day, has been in its main line of development so abstract a discipline as to be useless as a description of actual economic life and useless as a guide to predicting or regulating its fluctuations. Further, the successive stages of economic theory, while dysfunctional in terms of advancing our understanding of trade and industry, have been—avowedly or tacitly—exercises in apologetics for the *status quo* in property relations and class structure, and therefore functional indeed in shaping social and political ideology.

Mr. Routh follows Thomas S. Kuhn's *The Structure of Scientific Revolutions* in explaining the unresponsiveness of economic theory to observable economic events: the original "paradigm" proposed by Sir William Petty in the 1600s was faulty, and later thinkers down to Keynes, while often severe on the blindness of their predecessors, have been careful to make only such changes in the doctrine as are compatible with its basic assumptions. To make matters worse, since economics has traditionally been a deductive rather than an experimental discipline, economic reality has had little scope for acting as a corrective to theory. In that connection Mr. Routh cites William Beveridge's farewell address at the London School of Economics in 1937:

> Mr. Keynes neither starts from facts nor returns to them. . . . It is the duty of the propounder of every new theory . . . to indicate where verification of this theory is to be sought in facts. . . .
>
> This is the demand that would be made of the propounder of a new theory in every natural science. It is not the demand that has been made of Mr. Keynes by his fellow-economists. . . . The distinguishing mark of economic science, as illustrated by this debate, is that it is a science in which verification of generalizations by reference to facts is neglected as irrelevant.

How is economics to be reformed? Mr. Routh's suggestions do not have the éclat of his critique, but they seem sensible. First, he hints that the prime mover of economic activity simply cannot be what theorists have generally assumed, the unmitigated selfishness of individuals. An obscure counter-tradition has always held that economic activity is human activity, and therefore appropriately complex in its causes and motivations. As a corollary, economics must be conceived of as including all the relevant social disciplines—history, sociology, psychology, politics—and not limit itself to demand and supply, marginal utility, the wages fund and other such equivalents of black bile and phlogiston. Then, there is a field in which the actual conduct of manufacturers, merchants and consumers is the object of more or less scientific study, and that is business management as taught in the graduate schools of business. So, while offering no new economic paradigm himself, Mr. Routh does suggest where the materials for elaborating one might be found and what attitudes might be appropriate for the search.

The book's price of $18 insures that the readers Mr. Routh has taken pains to address in plain terms will not be in a position to profit by his thoughtfulness.

FIELDS, FACTORIES AND WORKSHOPS TOMORROW. *By Peter Kropotkin. Edited and with an introduction by Colin Ward. Harper & Row. 205 pp. $10.50.*

From 1947 to 1960, Colin Ward was an editor of *Freedom*, the anarchist journal founded by Kropotkin; from 1961 to 1970, he edited *Anarchy*. He is well-qualified to present a new edition of Kropotkin's classic book on work, education and subsistence. Mr. Ward has taken great liberties with the text, starting with the book's title, to which he has added the word "tomorrow." That, at any rate, was a questionable inspiration. The many abridgments he has made are another matter. On the one hand, Kropotkin quoted many authors and sources, reproducing their examples, arguments and statistics as they bore upon his theme; his sense of literary architecture was very well developed, and from that point of view none of his citations is redundant—so gracefully are they introduced and so clearly do they advance the discussion. Nevertheless, Kropotkin's desire to disarm the specialists of his day by his scientific rigor and his marshaling of the appropriate data does not quite meet the interests of the common reader today. For such a reader an abridgment may serve as well as the original text, particularly since Mr. Ward has used the space saved to print his own appendices to each section. These carry the argument a step further, often by referring to current history insofar as it corroborates or qualifies Kropotkin's views. A practice that might seem pernicious in the abstract turns out in this case to be a genuine addition to Kropotkin's work. Nevertheless, the reader who finds Mr. Ward's edition of *Fields, Factories and Workshops* interesting would do well to go back to the original, and read in its proper language and proportions that magisterial essay on the human meaning of work.

THE MILLENNIUM POSTPONED: *Socialism from Sir Thomas More to Mao Tse-tung. By Edward Hyams. Taplinger Publishing Co. 277 pp. $10.95.*

TERRORISTS AND TERRORISM. *By Edward Hyams. St. Martin's Press. 200 pp. $7.95.*

Edward Hyams is an excellent translator, the author of some splendid comic novels, a charming writer on gardening and horticulture and the author of an official—but by no means tame—biography of that Dutch uncle the *New Statesman*. A man of parts. The two excursions into more or less formal history whose titles appear above are amateur works in the best sense, for they bring an original point of view to matters that the professionals have already embalmed in the conventional wisdom. For example, in *Terrorists and Terrorism* Mr. Hyams treats the morality of his subject in the most refreshing way. He argues that terrorism is war—carried on not by national states but by disaffected elements within the state—and that pacifists alone can legitimately take exception to it. As for its efficacy, when it succeeds it is as effective as more sanctioned forms of warfare: Eire, Israel and Algeria are cases in point. Terrorism scourges the innocent, but so does conventional war. The outstanding difference is that terrorists themselves rarely achieve political power; their heirs, who do, promptly repudiate them. Mr. Hyams's study concentrates on the 18th, 19th and 20th centuries, reviewing and analyzing major examples of terrorist activity in the West. He appears to have no more enthusiasm for this than for any other form of armed violence, but looks upon it simply as a recurring feature of societies ruled by force (he rejects as Utopian the ideal of a society held together by good will): "It would seem . . . that terrorism is . . . a normal condition of social life under the rule of law . . . a cathartic fever incident to civilization. Its incidence can be reduced by progressive liberalization of the laws in favor of an even greater and more generous measure of social justice."

The Millennium Postponed is an ambiguous title, but Mr. Hyams is unequivocal in declaring that the socialist millennium has been indefinitely postponed. Indeed, after presenting an idiosyncratic and provocative review of the history of socialist theory and practice in the modern age, he announces flatly that the millennium has been canceled. Two preconditions for ideal socialism are freedom and democracy, he says—and adds at once that those conditions are no longer realizable. Apparently, Mr. Hyams has been led to take that cheerless view by considering the consequences

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of population growth. As he puts it, noble and generous concepts—freedom, democracy, equality of reward, economic justice—have always been the ideals of a minority, and those ideas need elbow-room, whereas "the species *Homo sapiens* has now reached the point at which survival of the species depends on sacrificing the individual's joy in living free." Survival requires increasing bureaucratization, social engineering that amounts to administering the citizen to within an inch of his life. Mr. Hyams imagines that our bureaucrats will learn to be benevolent—"There will be no *Nineteen Eighty-Four*. . . . The bureaucrat is not a fool: why should he bring about the conditions of drab hardship most likely to provoke revolt against his rule? . . . He is not malignant, he is a man of good will, so why should he want to do so?" And Mr. Hyams goes on to argue commonsensically that we are technically capable of providing bread and circuses for all, and under such conditions the rule of the social engineer need never be challenged.

Yes, except that that kind of common sense has no more warrant in our experience than the most Utopian dreams, and for every reader who agrees with Mr. Hyams's view of reality there will be another who cherishes the idea of the basic goodness and perfectibility of man. Given the human propensity to disagree in this way, the only safe prediction is that Mr. Hyams's bureaucrats will have warm work of it. □

THEATRE

HAROLD CLURMAN

Yentl is delightful (Eugene O'Neill Theatre). Based on a short story by Isaac Bashevis Singer called *Yentl the Yeshiva Boy*, it was dramatized by him in collaboration with Leah Napolin and, considering the laconic, folk-tale nature of the original it is artfully dramatized. For as with most folk tales, there is a deceptive simplicity, an arch plausibility here, which masks a fundamental ambiguity. The play adds picturesqueness to the story's surface, but this increases rather than lessens the ambiguity.

The girl Yentl was taught the Torah (the Pentateuch and the Commentaries on it) by her father "as if she were a son." For in the Jewish ghetto of old Poland only males were expected to acquire religious knowledge; females were obliged to confine themselves to custom and domestic duties only. But Yentl was endowed with a "man's mind" and felt that she had not been created for knitting a husband's socks, for "the noodle board and the pudding dish, for chatting with silly women and pushing for a place at the kitchen block." Yentl had a passion for learning. She didn't wish to get married, so on her father's death, she set out—dressed as a youth—to study at a Yeshiva where the Law (Torah) was taught.

There she meets Avigdor, one of the seriously studious Yeshiva seminarians, is attracted to him on account of his sympathetic behavior and his sincere devotion to the Torah, as he is to the boy Anshel (her assumed name) because of her (his!) alert mind and endearing personality. They develop a David and Jonathan friendship. Avigdor is in love with Hadass, the daughter of one of the wealthier families, was betrothed to her but the marriage was prevented because her mother objected to the young fellow's poverty as a mere student. Avigdor still dotes on Hadass and talks constantly to Yentl about her. Hadass, he says, was his "destined one."

Yentl's love for Avigdor is so great that the feeling he-she harbors for him is galvanized into an impulse to console Hadass for the loss of Avigdor by offering to marry her! In the meantime, Avigdor, dogged by his raging sexual need, marries an unsightly widow of prosperous parentage. She proves to be a thoroughgoing harridan whom he soon escapes and seeks to divorce. And Yentl-Anshel marries Hadass! Anshel manages to avoid carnal contact with Hadass, though in Singer's words, she "had found a way to deflower the bride."

The long and short of this complex history is that Yentl finally has to disclose her identity as a girl to Avigdor. Appalled at first, he offers to marry her. She refuses because she doesn't wish to become a ghetto wife of the sort she would have had to be in that bygone day. And besides, she is wed to the Law, to study. She disappears from the town. Avigdor, subsequently divorced, marries Hadass and names their first-born son Anshel.

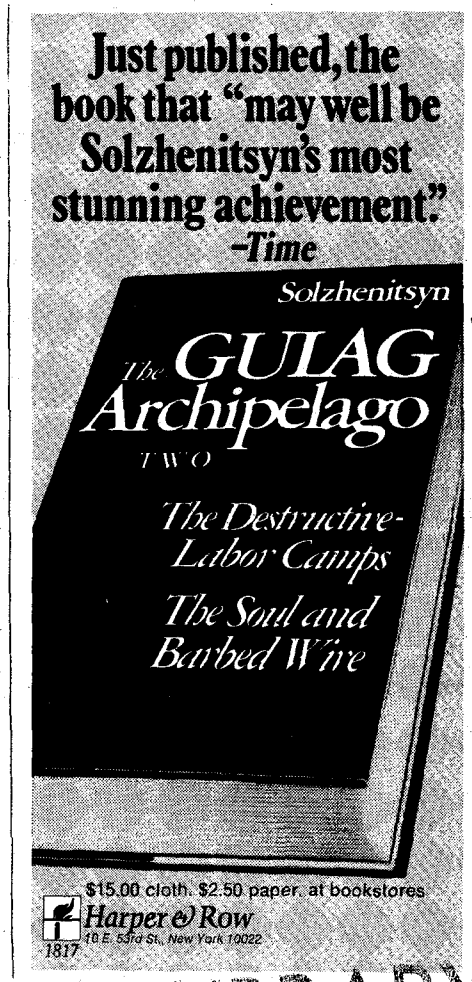
The first act of the play is enchantingly humorous in local color, with all the ritual of orthodoxy, as in the scene of the traditionally prescribed premarital bride's bath. The second act has a more troubled resonance but an undeclared mystery obtains throughout, while the basic tone of the play as a whole never rises above folk comedy.

There is a secret here. It is the key to Singer's art and the reason why the play fascinates more than one might expect from the surface mirth of its material. Singer's theme is, to put it conventionally, sacred and profane love and the interpenetration of both. More specifically, there is polymorphous sexuality in Singer's spirit, a spirituality infused with concupiscence. Godliness, as Singer experiences it, is also hunger and ecstasy, so that there is a scalding conflict in which each can hardly be distinguished from the other. In the struggle between the two forces, a strange unity, a unity which cannot be specifically named is born.

That is the main reason why Singer fails to tell us how Anshel-Yentl "consummates" his union with Hadass. For Yentl has married her from a desire to attain Avigdor, though she will not give herself to him, not only because Hadass is his "destined one" but because she is wed to study of the sacred. Avigdor loves Anshel because the "boy" is captivating in the feminine delicacy of his person—just as he is drawn to the "manliness" of "his intellectual love of God."

Yentl is not a "psychological" play. But its charm is more than superficial because the ambiguity which is its originality is conveyed in the innocent form of a particularly Jewish tall tale. As a personal note, I feel impelled to add that the duality of Singer's inspiration contains the seed of a truth: the holy must be adored with our physical self and the "profane" (the body) must be loved soulfully.

Robert Kalfin has staged the play in the right temper. Karl Eigsti's scenery, designed in impressionistic or fragmented indications, serves the practical requirements of the episodic text and is at the same time visually engaging. The cast,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chosen with a keen sense of the play's many-faceted attributes, is a most pleasant one. John Shea is altogether apt as Avigdor. There is an amusing performance by Albert Oppenheimer as a tailor baffled in fitting Anshel to his bridegroom suit, and Leland Moss does very well as a ninny suitor for Yentl's hand. But the outstanding performance is that of Tovah Feldshuh as Yentl.

She is delicious: darling as a girl and even more so as the "boy." Her transformation from Yentl to Anshel is altogether convincing. In this guise, she resembles the kind of tender youth one occasionally sees among the Hasidim. In addition, Miss Feldshuh (I am inclined to refer to her as simply Tovah) is an actress who has prepared herself for her taxing role with exemplary diligence. She has mastered all the traits and modes of behavior of the classical Yeshiva boy. She endows the scene with a purifying air. If, beyond this, Tovah aims to make herself into an even more complete artist, she should continue her training in another and still more fundamental direction than she has thus far done.

The last sentence above brings me to a matter which needs more extensive treatment than I can give it at the moment. It has to do with the development of actors and inevitably with the state of our theatre. For the past three or four weeks I have attended a number of new productions of old plays. Some years ago very few such "revivals" reached Broadway—with certain ill effects on our theatre. But now that production of new plays without music has become rare, revivals of old plays—American and English—are rapidly on the rise.

By itself this is a good thing: ever renewed consideration of the best which the past has produced is essential to culture. It is distressing, however, to find that too many of the revivals are poorly acted. Even a masterpiece can be rendered null and void by inadequate production and especially by unfulfilled acting. We do not "read" a script in the theatre except as a living play—chiefly through acting which gives the art its vitality.

Most of the young actors today (those under 40) are entirely serious in their attitude toward their craft. But something has happened. Because the Stanislavsky system or method in our country tended for many years to stress only emotional texture and to neglect excellence in such matters as speech, voice, elocution or physical agility and grace, a reaction has set in. A new generation has begun, rightly and beneficially, to improve in elocutionary address, in physical flexibility, in song and dance, as well as in free (mostly nonverbal) improvisation. Many such players can do everything—except act. They do not know how to awaken their souls. Their performances lack inner validity. The result is emotional thinness. Indications of feelings are rather skillfully projected, but real substance is largely missing. Hence the essence, the very meaning, the heart and therefore the art implicit in the text are dissipated and often degraded to mere posturing made tolerable through scenic trimmings.

The situation is not as simple as I have here stated it: I certainly do not mean to depreciate the hard work, the sound intentions and the ambition which are now seen in various revivals, new ensemble companies and educational institutions. Their mistakes are due, for one thing, to a misunderstanding of the Stanislavsky *synthesis* in which the technical (physical or "mechanical") demands on the actor far exceed that of any other "school" in the United States or in Western Europe.

There are also social-cultural reasons for the impoverishment of quality in acting which of late has increasingly become apparent to me. And the extravagant puffing of agreeable performances by reviewers of insufficient instruction or sensibility is certainly a detriment to progress. But all this needs further explanation, which should follow in a future column. □

MUSIC

DAVID HAMILTON

Opponents of opera translated into English often speak of "the sheer loss in musical value when an opera is translated." This is not an invalid position, although those among us who believe that it does not close the question would feel more comfortable if these spokesmen for "the sounds the composer had in his mind when composing" did not usually accept with equanimity translations of Rossini's *La Siège de Corinthe*, Verdi's *Don Carlos* and *Les Vêpres Siciliennes*, or the back-translation into Italian of Gluck's French *Orphée* that is frequently passed off as the work of Calzabigi (librettist of the opera's original Italian version).

Yes, something is lost in translation—a loss that we routinely accept on the spoken stage; no one would seriously contend that non-French speakers would enjoy Molière more in the original than in English. So the operatic argument is quickly, if speciously, buttressed. Naturally translation is pointless when an English translation is sung unintelligibly, either by foreigners or by natives who, never having sung their own language, have not learned that in vocal music the words constitute a medium of communication. But that is a matter of casting and of training, not of principle. (The unexamined other side of that coin is interesting, too: what happens to those "musical values" when foreign texts are mispronounced or gabbled by American singers who don't speak the language they are singing? And, at another level, what happens when, in comedy, the audience is made to laugh, not at the musical wit that flows from the words, but at slapstick action devised primarily to relieve the boredom that inevitably results from incomprehension?)

The argument from bad translations is equally irrelevant, although God knows there have been plenty of bad ones. Despite some individual works of distinction, we have not a successful native tradition of operatic theatre, and translators in search of models for tone and diction have all too often looked to Broadway (where verbal wit has usually taken precedence over musical wit) or back to W.S. Gilbert. But the task is not impossible; Andrew Porter's English version of Wagner's *Ring*, in particular, demonstrates what can be done to achieve elevation without awkwardness.

Against those "musical values," obviously, one must put dramatic values, the appreciation on a line-by-line basis of the relationships between action and music, for which even careful previous study of the libretto is no real substitute. Ultimately, the best case for opera in English will have to be made by new operas, written to original texts in the vernacular; for the rest, there is no single correct answer.

Least of all in New York City, where we enjoy the services of two opera companies, pursuing increasingly parallel repertories. And the best news about the New

INTIMATION

It says what you've always known
even as a child
when your grandmother sat on your bed in the dark
and sang that tuneless song
about a white goat and raisins and almonds
and you felt suddenly strange:
as though you had waked in the night and snow was falling.

Katha Pollitt

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York City Opera's new production of Wagner's *Die Meistersinger* is that it is in fact *The Mastersingers*. Although deficient in many ways, this presentation of a central work of the literature in a generally comprehensible form constitutes a step in the right direction for the City Opera. The ensemble needs a good deal of rehearsal, at least one brutal cut ought to be reconsidered (the gruesome splice from the middle of Sachs's "*Hat man mit dem Schuhwerk*" to the beginning of Eva's "*O Sachs, mein Freund!*"), John Gutman's translation wants improvement at many points (the tone is uncertain, the diction occasionally even ungrammatical—although the decision to retain Wagner's original rhyme scheme throughout certainly made difficulties), and certain excrescences in the direction should be rethought. But this is a start on a creditable presentation of the marvelous work; it could become rather good.

In one respect, it is already very good: as Sachs, Norman Bailey, veteran of a famously successful English-language version of the opera at London's Sadler's Wells, brings us a firm, ample voice, a warm and authoritative characterization—and also some of the translation used in London. Except for her increasingly apparent tremolo, Johanna Meier makes a lovely Eva, and John Alexander sings Walther better than most of the "Wagnerian" tenors who have essayed it at the Met in recent years. Director John Cox, who worked much apposite detail of characterization around the various masters, missed completely with Beckmesser (James Billings), who began as caricature and went on to Donald Duck grotesqueries. Among the others, David Holloway stood out with a strongly sung Kothner. Julius Rudel conducted, rather briskly; with more rehearsal, perhaps he will be able to get beyond traffic direction into interpretation. □

DANCE

NANCY GOLDNER

Drums, Dreams and Banjos (*D,D&B*: it sounds like an advertising agency) is the name of a new ballet choreographed by Gerald Arpino to Stephen Foster for the City Center Joffrey Ballet. One expects the worst with a title like that. The worst does come, but not until we have seen a few dances amounting to the most honest work Arpino has done. These dances, mostly duets, form a neutral prologue to the ballet's loaded guts. Costumed in white practice outfits, they consist mostly of classical steps of the classroom variety, spiced with reference to the cakewalk's struts and shuffles. Why are these dances news? Because, for once in Arpino-land, a promenade in attitude, say, is a promenade in attitude. Arpino lets the figure alone, neither dressing it up with a swoop in midturn, nor cutting it short with a swing into another position, nor fuzzying its completion and visual impact with a mad dash into an unrelated figure. The references to extra-balletic forms are easygoing and light-handed. They are a natural part of Foster's music and world, and the dancers can move casually enough into them without turning the dances into lectures on time and place. Arpino manages to make Foster and almost pure ballet dancing separate but companionable, somewhat as Balanchine has done with Sousa and Western folk tunes. It so happens, too, that Foster is especially suitable for Arpino. He need deal with music only as a linear, forward-moving rhythm machine. Although Foster is orchestrated for the occasion (by Peter Link), elaboration makes the tunes louder, not deeper. So Arpino is spared the necessity of deepening the texture of his dances. They are brisk, bouncy and keep moving along, which suits Foster just fine.

Saved by musical simplicity, Arpino still manages to find something in Foster to mess with. For the large, middle section of the ballet, he concentrates on Foster's ballads and decides that their lilting, sweet and, yes, sentimental qualities personify the pre-1865 South. On rush the belles in their tulle skirts and the beaus in their cadet duds, and it's all over. The dancers gush and swoon and primp and drool, and the audience, I suppose, is supposed to follow suit. One couple even gets married right before your eyes, under an arbor of crossed swords. If some of the preceding images of beckoning sylphs were understood to be fond gesture-for-gesture imitations of the sylph in Balanchine's *Scotch Symphony*, Arpino's marriage can only be understood as an attack on the "marriage" scene in *Scotch Symphony*'s last movement. Or perhaps as a symptom of Arpino's unremitting belief that literal action is better than transposed action—that real weddings are more effective than choreographed ones, weightless dancing more effective than ethereal dancing.

However strongly one would argue against Arpino's bright idea that belles and sylphs are sisters, his vision of high romance and high ballet is no news. It is important to remember that gossamer and down, and visions of ladies who would literally fall down were it not for the brawn of their partners, may be savored in all of his ballets. Otherwise, one might confuse Arpino's way of glorifying lyricism with a glorification of the plantation system. In a sense, all of Arpino's ballets take place in bayou country; in *D,D&B* he uses Foster as a rationale for calling a spade a spade. Specificity of time and place may convince some that Arpino has a political message up his sleeve, and the message will undoubtedly nauseate those to whom the plantation era seems less than jim-dandy. But the same belle-sylphs swirl through Arpino's tributes to the flower children (*Sacred Grove on Mount Tamalpais*), the peaceniks (*Trinity*), Strauss and the waltz (*Kettentanz*), and even to Mozart (*Secret Places*). If one's funny bone is more aesthetic than political, *Secret Places* is the last straw. But the crime, if not the victim, is always the same. Lyricism is goo. Dancers are embalmed in their tulle. Choreography is a packaging job.

The last section of *D,D&B*, which is intended to bring down the house and be

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the definitive example of American *brio*, is not even an efficient packaging job. Revving up the dancers, and the audience, too early in the game, Arpino cannot sustain the build-up to the finale. No finale can work on an overprimed audience, and besides, Arpino has already played his trump card, unison dancing. Instead, he gives the men and women different, conflicting steps. The effect is chaos, so that the sudden cascade of red, white and blue streamers in the final second of the ballet blots out, rather than punctures, the celebration. One doesn't leave *D,D&B* in a euphoric high, but one might leave it clear-eyed with a few choreographic repair jobs. What cannot be repaired, this ballet indicates, is Arpino's utter lack of discrimination between what's good and what's bad. How he could throw his clean, lively beginning into the swamp (pardon the particular appropriateness of this dumping ground), is the ballet's most dumfounding fact and perplexing question.

A nagging question is whether Arpino would have made this hunk of Americana had the décor and costumes for *Cakewalk*, a far superior ballet by Ruthanna Boris to the far superior music of Gottschalk, not been ruined during a tour of Russia. That *Drums and Dreams* is the result of an accident to its better is a cruel turn of fate, but on second thought another Americana ballet from Arpino was probably inevitable. He has been in the high patriotism business all along, *Trinity* and *Sacred Grove* being the obvious examples. But the super vim and vigor that mark all of his allegro works, out of which stems the Joffrey company's image as the all-American ballet team, feed into the Americana fuel box as well. The dancers always emerge from Arpino's scuffles hale and hearty, which is to their enormous credit but not of enormous service to them.

Although Gerald Arpino is the resident choreographer of the Joffrey, one must look outside his canon to find out that Joffrey dancers can do much more than survive ballets gracefully. One must look at Christian Holder's new *Five Dances* or Robert Joffrey's *Pas des Déesses* to discover Denise Jackson's pride, to the Twyla Tharp ballets and Ashton's *Monotones* to discover Pamela Nearhoof's glamour, to John Cranko's *Opus I* to discover Ingrid Fraley's sensitive legs, to Robbins's *Interplay* to discover that Charthel Arthur can be sweet in an unsappy way, to Tudor's *Offenbach in the Underworld* to discover Kevin McKenzie's and Russell Sultzbach's agility—to name a few who appear in *Drums, Dreams and Banjos*. Some of these ballets have no merit other than revelation of a dancer's technique and personality, but after sitting through another Arpino ballet, *Opus I, Five Dances* and *Offenbach in the Underworld* suddenly have loads of merit. □

FILMS/Robert Hatch

Satyajit Ray's *Distant Thunder*, which was shown at the 1973 New York Film Festival, is only now being released here. The delay is surprising because the picture, though its human relationships may be less complex and delicate than those of the great Apu trilogy, is as intensely interesting to a viewer little informed about Indian mores and the circumstances of Indian life as any that Ray has sent us. And this film, in color, is visually perhaps the most beautiful he has made.

Distant Thunder is set in a Bengali village during the World War II famine that killed 5 million people. It is not, however, an epic of mass suffering and death, but the story, in illuminating detail, of a dozen or so people on whom the great hunger gradually descends. (Mr. Ray took his script from a novel by Bibhutibhushan Banerji.) In particular, it is about Gangacharan (Soumitra Chatterji), the unfolding of whose character, much more than the rather perfunctory plot, is the chief virtue of the movie. Gangacharan and his wife are the only Brahmins in the village; indeed, he has recently chosen to settle there because his superiority of caste, and with it of education, will automatically assure him a place of authority in the community and a comfortable living with little effort. But though he is a calculating and distressingly smug young man, it would be unfair to call Gangacharan a parasite. He intends that the village shall support him, he relies on the fact that the lower castes live in superstitious dread of offending a Brahmin, but he also expects to improve the lot of these people by acting as their priest, doctor and teacher of their children. Gangacharan is only relatively speaking an educated man and his skills are modest; but so are his fees, and he is certainly better than no one at all. One day a delegation from a nearby village beseeches Gangacharan to return with them and conduct the religious ceremony of purification prescribed for cholera, which has broken out among them. His wife asks him privately if he really believes in the elaborate mumbo jumbo, and he replies that the basic rules of public hygiene are given in books on his shelf and that, in addition to praying and burning incense, he will make certain that the villagers adhere to them.

The tragedy for this handsome but somewhat fleshy, well-meaning but rather indolent young man—both for him and for his villagers—is that his authority and wisdom are social assumptions, unearned and untested. They serve him well in normal times, and to a degree they serve those around him; but when the times become brutally abnormal, he is utterly without inner resources. Gangacharan, confronted by violence and the need to fight for survival, both personally and as a villager, is as helpless as a child—quite literally so, for caste has insulated him from maturity. His realization, finally and fatally too late, of what it really means to accept the privileges of caste, as developed by the exceedingly fluent Chatterji under Ray's direction, is the brilliant heart of the picture.

And with it there is a second theme, one that is not new, which has never to my knowledge been satisfactorily resolved, but which lies always waiting behind the surface amenities of social behavior. The two villains of the picture are men who have rice—considerable quantities of rice—when elsewhere there is none to be had. Bengal is a one-food country; when the rice is gone, the people die. These two tough, selfish men will not share their grain; they will not sell it at any price—though they will give a Brahmin a meal to earn credit in heaven. They are men of family, and their kin remain sleek while emaciation spreads all around them. It is loathsome behavior. It degrades these men and quite obviously they recognize the moral price they are paying; they squirm and lie and protest far too much. Compassion demands that they give—putting, say, a grain of rice into each outstretched palm until every grain is gone. In a country like India, when distant nations raise the thunder of war, the key to survival is an intolerable hard-heartedness. As I said, it is an old conundrum, but Ray presents it with a bleak understanding that challenges one's sheltered humanity.

This picture is a social tract, perhaps the most overtly so of Ray's films to date. Remarkably, it is also a work of art, one that uses modest means to celebrate the quality of remote village life and thereby to imply the dilemma of a teeming subcontinent. Only the enormous Bengali landscape, unemphasized but always present in the background, states the real scope of Ray's intention. The photographic director of this physically lovely film is Soumendu Roy. □

WAKING UP ALONE

Morning comes in piece by piece,
a huge puzzle with missing parts.

It never goes right.

I keep finding
your face
between one housebrick and the next,
between chimney and smoke.

Rochelle Siegel

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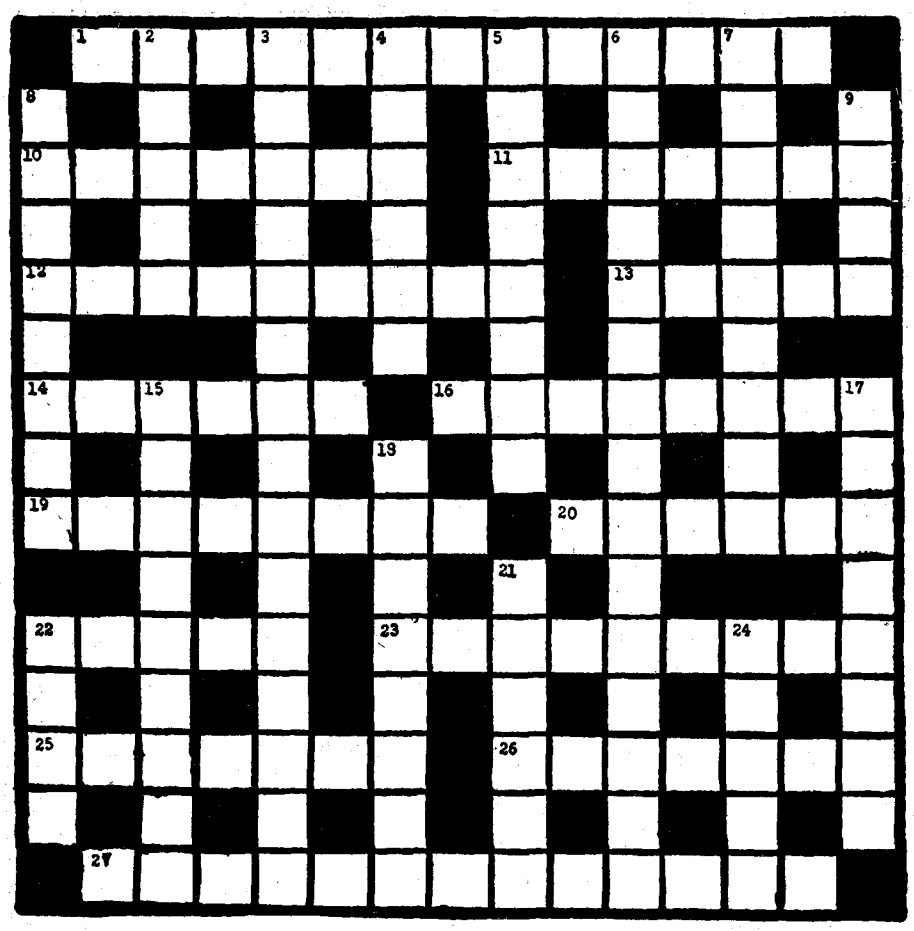
Crossword Puzzle No. 1607

FRANK W. LEWIS



ACROSS

1 A bad time for gulls? (5,5,3)
10 Let loose around the incline, one doesn't tread lightly this way. (7)
11 The Air Force story isn't likely to be true, but it's pleasant. (7)
12 A new car lot, not used in 5, probably. (9)
13 Match score? (5)
14 The ball might be where roles are assumed. (2,4)
16 Dip in one straightened out, and you'll get held down. (8)
19 Giving a gin sling to the general? (8)
20 You might get away from margin if you do, and use capital to get started. (6)
22 One shouldn't remember drinking from it. (5)
23 Such things are only found in a wild state. (9)
25 Portia's confidante. (7)
26 As the poet says, open with a standard amount, and run! (7)
27 Nothing on cattle land takes flower, but the bearer might expect a hitch in the ceremony. (6-7)

DOWN

2 Physically unattractive stretch of land? (5)
3 See 9 down
4 Raising cattle with the French is not very effective. (6)
5 Saul or Samson, for example. (8)
6 Runners don't always find this, unless protected, and loners wouldn't seek it. (6,2,7)
7 When someone's brought in with this, they might expect to 26 in the theater. (9)
8 Carrying the hose, perhaps. (8)
9 and 3 down A viper's head might show this shortly. (4,9,6)
15 Abstract art repels one who might be expected to cover the wall. (9)
17 Acted perturbed, when acted about that place! (8)
18 Brood, perhaps. (8)
21 A little way to go on wheels or walk casually. (6)
22 With an extended stretch of pine? (4)
24 It might be expected to follow a good act. (5)

SOLUTION TO PUZZLE NO. 1606

ACROSS: 1 Least; 4 Albatross; 9 Forgetful; 10 Ratio; 11 Run-around; 12 Twang; 13 Snuggled up; 17 Disclosure; 21 Celia; 22 Common law; 23 Totes; 24 Exonerate; 25 Destroyed; 26 Teems. DOWN: 1 Lifers; 2 Aprons; 3 Theirs; 4 Affluent society; 5 Bulldog Drummond; 6 Throttle; 7 Outwards; 8 Stopgaps; 14 Educated; 15 Isolates; 16 Cleanser; 18 Moment; 19 Old age; 20 Sweeps.

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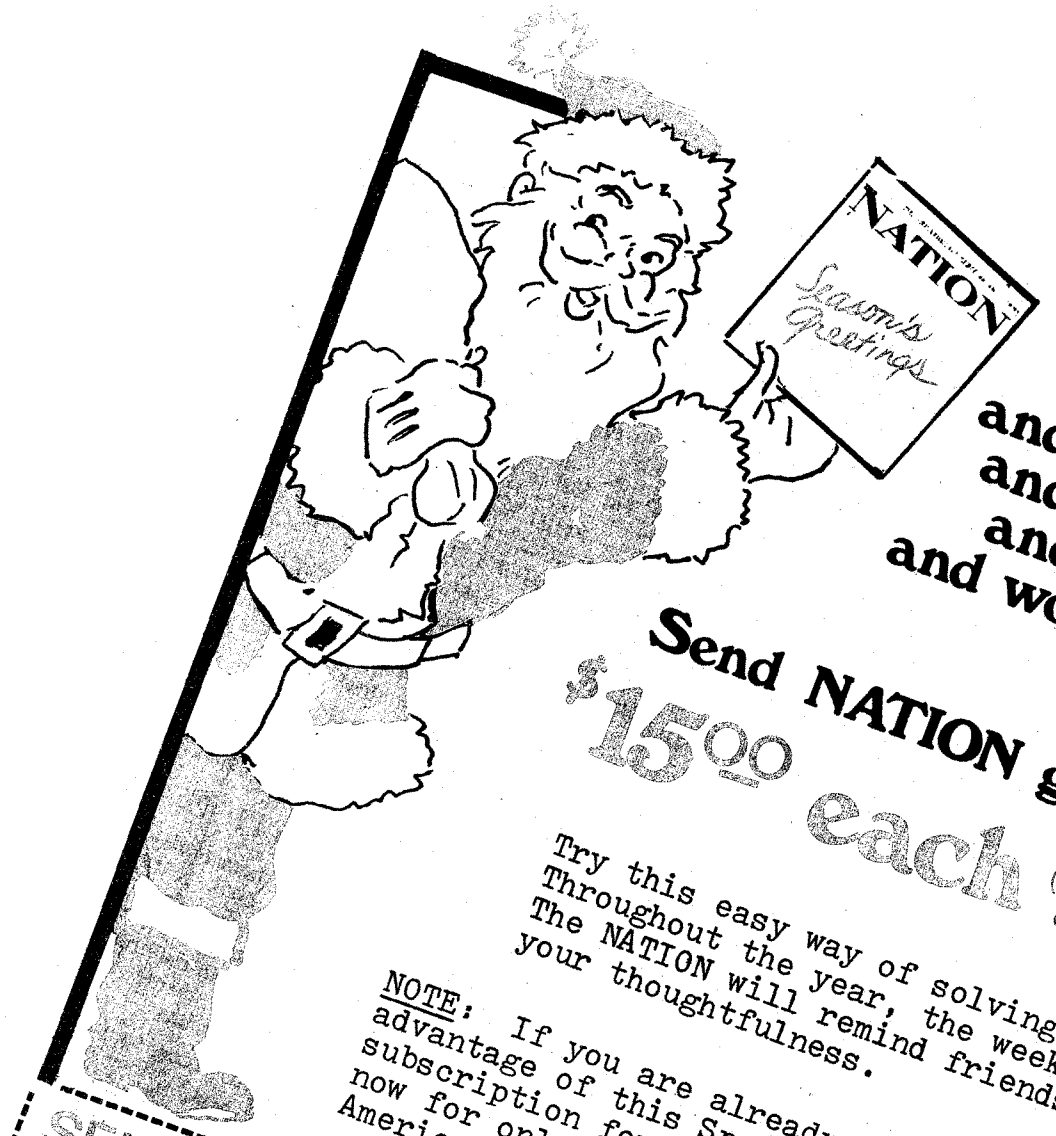

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